

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'**  
**MEETING AGENDA**

**Executive Session, 6:00 P.M., Room 126**

*Francis Faulkner Meeting Room*

*Town Hall*

September 10, 2007

7:00 PM

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

**1. 7:02 OPERATIONAL MINUTE**

The Town Manager will provide a brief report on topics of interest.

The Town will be hosting Acton Day 2007 at NARA Park Saturday, September 15 from 5-9:30 PM. This annual event will be a fun packed evening open to the public. There is no admission fee and free shuttle buses will be available for off-site parking on Nagog Park. The event takes place at NARA's amphitheater and upper field. Many local businesses and community groups are scheduled to sponsor activities. There will be many fun activities for all ages and the evening includes a concert and fireworks. See details on Recreation's webpage on the town website, [www.acton-ma.gov](http://www.acton-ma.gov).

**2. 7:05 YIN PEET, QUARRY ROAD VANDALISM**

Enclosed please find a letter from Yin Peet regarding the vandalism at their property on Quarry Road, for Board consideration.

Yin Peet briefed the Board on a series of vandalism on her property. The Board wishes to insure the acts of vandalism are not in fact a campaign of harassment. The Board asks the police chief to insure extra patrols in this area be instituted and the detective unit fully investigate these incidents

**3. 7:15 OUTDOOR LIGHTING EDUCATION COMMITTEE (OLEC)  
OVERSIGHT MEETING**

Enclosed please find materials in the subject regard.

The Board is generally in support of an appropriation for FY '09 to replace the streetlights to a higher efficiency light. OLEC ( with the assistance of Dean Charter) is to (1) initiate a program to educate the public as to the pros and cons of metal halide and high pressure sodium streetlights, (2) review the location and choice of streetlights or other lighting structures to enhance the pedestrian friendliness of the community, (3)

investigate grant opportunities, (4) present to the Town Manager for endorsement in a timely manner ( A manner, which accommodates the Town Manager's review and accommodates presentation of the streetlight replacement program to the Annual Town Meeting in April 2008) completed grant applications. Also OLEC is to publish locations of MH and HPS streetlights in Acton and surrounding Towns, where people can view them.

**4. 7:35 DESIGN REVIEW BOARD, PROPOSED ZONING CHANGES**

Enclosed please find a request from Ann Sussman regarding proposed zoning changes that the Design Review Board would like conceptual consideration of the Board.

The BoS encouraged the Design Review Board to proceed with review of the zoning by-law to encourage the use of sidewalk café operations. *BoS should have draft zoning articles early for review/comment.*

**5. 7:40 CHANGE OF LIQUOR LICENSE MANAGER, NOT YOUR AVERAGE JOE'S**

Enclosed please find materials in the subject regard, for Board consideration.

Approved

**6. 7:50 COMMON VICTUALLER LICENSE, 37 MAIN STREET, RICHARD MARTIN (OPEN AND CLOSE HEARING, NO HEARING IS REQUIRED AS THERE WILL BE NO RESTAURANT SEATING)**

Enclosed please find Materials in the subject regard, for Board consideration.

**THE HEARING WAS OPENED AND THEN CLOSED AND THE APPLICANT WITHDREW THE REQUEST DUE TO THE FACT NO LICENSE WAS REQUIRED.**

**7. 8:15 FAULKNER MILL REALTY, LLC., REQUEST FOR EXTENSION OF THE PUBLIC SEWER SYSTEM TO 4 HIGH STREET (CONTINUED FROM AUGUST 13 MEETING)**

Enclosed please find materials in the subject regard, for Board consideration.

The Board reiterated its desire for one affordable unit and HDC approval of the architectural features of the buildings. In addition, the Board thanked the applicant for agreeing to construct a sidewalk along High Street. Tom Tidman & Bruce Stamski needs to work with the applicant on submittal of a sidewalk plan for approval. The hearing was continued until September 17 at 7 PM

**8. 8:45 NSTAR, HANGING POLES AND CATHODIC PROTECTION FACILITIES FOR KEYSpan**

NSTAR has been invited to address the following issues: (1) Keyspan's use of NSTAR poles for cathodic protection devices and (2) double/hanging poles.

NSTAR stated for maintenance and legal reasons it would not allow Keyspan to attach its cathodic protection devices to NSTAR poles. NSTAR reported on its progress on removing double and stub poles. Currently there are 10 poles awaiting streetlight replacement (Dean) and two poles waiting fire alarm wire relocation. (Bob)

**9. 9:00 KEYSpan REQUEST TO INSTALL CATHODIC PROTECTION FACILITIES AND REPLACEMENT OF ANODE BEDS AT VARIOUS ACTON LOCATIONS (CONTINUED FROM AUGUST 13 MEETING)**

Enclosed please find materials in the subject regard, for Board consideration.

Keyspan was approved for all new and existing locations with the exception of Wood Lane. Keyspan is to notify abutters on Wood Lane, Christine to place an ad, and the hearing is continued until September 24, at 7:10 PM

### **III. SELECTMEN'S BUSINESS**

#### **10. TOWN MANAGER SEARCH COMMITTEE**

This is a standing agenda item per Board direction. No materials are enclosed.

47 applications were reviewed, 12 applicants will be interviewed; 3-5 applicants will be recommended to the BoS by Nov 1<sup>st</sup>.

#### **11. ALG UPDATE**

The Selectmen representatives will brief the Board on the status of ALG and the Capital Committee. The Chairman and Board Members will continue the discussion of the so-called Jonathan Chinitz Financial Model.

BOARD MEMBERS NOTED THE NEED FOR MONIES ALLOCATED TO THE TOWN BE INCREASED IN REAL TERMS FOR FY '09, 10 AND 11. THERE WAS GENERAL CONSENSUS THAT THE ANNUAL INCREASE IN REVENUES BE STRUCTURED SO THAT TOWN'S SHARE OF TOTAL REVENUES (WITHOUT SUBSEQUENT ALLOCATION OF REVENUES BY STONE AMENDMENT OR ANY OTHER AMENDMENT) SHOULD REACH THE HISTORIC SPLIT OF 36% IN THE NEAR FUTURE. IN ADDITION, THERE WAS CONSENSUS THAT THE ADOPTION OF ANY FORMULAIC CHANGES ARE "RIPE FOR MISUNDERSTANDING" AND BEFORE ANY NEW FORMULA WAS ADOPTED, THAT NEW FORMULA IS TO BE APPLIED TO FY '08 IN ORDER TO INSURE THE STARTING POINT IS CORRECT.

Paulina briefed the Board as to the Capital Committee's plan of action. *So far \$10 million in capital needs have been identified for action in 2008.*

#### **12. ALEXAN CONCORD DEVELOPMENT, OLD SUDBURY ROAD**

Enclosed please find materials in the subject regard, for Board consideration.

Dore' briefed the Board as to a conversation between Concord Selectperson Patty Briggs in regards to Concord's counter offer of 35 units being allocated to Acton vs. Acton's request for 100 units. There was consensus that such was a reasonable offer in light of Concord attaining the 10% set-aside. *There is indication that the Thoreau Club is also looking at a 40B development option. In addition consensus was reached concerning that the Acton Board of Selectmen were the only official spokesperson for the Town of Acton in this matter. Dore' wants map of project. Staff to find out status of/process for approval.*

#### **13. W.R. GRACE, TOWN OF ACTON COMMENTS TO THE ENVIRONMENTAL PROTECTION AGENCY IN REGARDS TO THE "DRAFT COMMUNITY UPDATE"**

Enclosed please find materials in the subject regard, for Board consideration.

*The Board authorized an amended letter to be sent to the EPA. Town (John) to ask for full report with appendices – review, then send letter. Amendments in letter to include the following (1) revised draft plan has not been reviewed by ACES and AWD (or that ACES and AWD should be given an opportunity to review it); (2) the existing monitoring well between the land fill and the AWD well should be sampled regularly; (3) request full report with appendices*

#### **14. OTHER BUSINESS**

No materials enclosed.

Lauren – To contact VCC concerning new members for the EDC.

Andy—the Sewer Rib capacity study is in with a capacity of 310,000 gpd.

Paulina – (1) Will testify on Senate Bill in regards to off-site improvements *in connection with 40Bs' – we need to prep her;*

(2) The buy recycle policy was approved by the Board;

(3) Paulina will attend the new 40B groups meeting as an interested observer;

(4) Perchlorate reponse needed for the 17<sup>th</sup> or 24<sup>th</sup> – *Fire and Health*

(5) Special Town Meeting officially set for October 29 at 7 PM. The Warrant will close on September 17 at the end of the BoS public session.

**(6) Sept. 28 Don Johnson's Retirement Party at the Maynard Rod and Gun Club, 7:00 p.m. Tickets available at the Town Manager's Office**

**(7) NEED TO SET-UP A CREATIVE SOLUTION GROUP IN REGARDS TO THE TOWN COMMON. I SEE THE REQUIREMENT FOR ROLAND, BRUCE, & TOM TO JOIN ME IN THIS ENDEVOR. I SEE A SIGNIFICANT BENEFIT IN HAVING GARRY, DEAN, MARK, & STEVE PARTICIPATE. ALL ARE WELCOME TO JOIN.**

#### **IV. TOWN MANAGER'S REPORT**

#### **V. CONSENT AGENDA – APPROVED**

**15. ETHICS DISCLOSURE, TEMPORARY TOWN MANAGER**

Enclosed please find materials in the subject regard, for Board consideration.

**16. ACCEPT BOARD OF SELECTMEN MINUTES**

No minutes enclosed.

**17. ESTABLISH A GIFT FUND, RETIREMENT PARTY**

Enclosed please find materials in the subject regard, for Board consideration.

**18. OBSOLETE MATERIALS DISPOSAL, ACTON MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard, for Board consideration.

**19. ACTON COMMUNITY HOUSING CORPORATION CONDO BUYDOWN PROGRAM**

Enclosed please find materials in the subject regard, for Board consideration.

**20. THE DISCOVERY MUSEUMS PROCLAMATION REQUEST**

Enclosed please find a request from the Discovery Museums to proclaim October 26, 2007 as Discovery Museums Appreciation Day, for Board consideration.

**21. ONE DAY LIQUOR LICENSE REQUEST, IRON WORK FARM, 128 MAIN STREET**

Enclosed please find materials in the subject regard, for Board consideration.

**22. BUGLES ACROSS AMERICA, PERIODICAL TEMPORARY SIGN REQUEST, ON THE TOWN COMMON**

Enclosed please find a request for placement of temporary signs on the Town Common, for Board consideration.

**23. ECONOMIC DEVELOPMENT COMMITTEE APPOINTMENT, KENT SHARP OF THE FINANCE COMMITTEE**

Enclosed please find materials in the subject regard, for Board consideration.

**24. ACCEPT GIFT, ACTON COMMUNITY HOUSING CORPORATION**

Enclosed please find a gift of \$5,000.00 from ACHC for the sidewalk contribution for the Willow-Central Street project, for Board consideration.

**25. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$1,000.00 from the Middlesex Savings Bank, to be used to help fund summer events at NARA Park, for Board consideration.

**26. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$370.00 from Acton Youth Soccer Association to be used to fund the Under the Sea Moon Bounce on Acton Day, for Board consideration.

**27. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$370.00 from the Thoreau Club to be used to fund the All Star Moon Bounce Combo at Acton Day for Board consideration.

**28. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$800.00 from Salerno's Restaurant, d/b/a Sorrento's to be used to fund a "Jim Show" juggling comedian Act at Acton Day, for Board consideration.

**29. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$260.00 from Acton Ford to fund a moon bounce at Acton Day, for Board consideration.

**30. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$50.00 from Joseph G. Perry Plumbing & Heating, Inc., to fund Acton Day activities, for Board consideration.

**31. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$500.00 from Digital Federal Credit Union, to fund an inflatable Moon Bounce at Acton Day, for Board consideration.

**32. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$3,000.00 from Kevin Goldberg of Hansen's Beverage Company, to be used for Monster beverage samples and give-a-way items, for Board consideration.

**33. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$25.00 from John and Robina Slupski to be used for the Elm Street Lighting Replacement Project, for Board consideration.

## **VI. EXECUTIVE SESSION**

There will be a need for an additional Executive Session at the end of the meeting. Materials are enclosed in the Confidential folder

---

### **ADDITIONAL INFORMATION**

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

### **MINUTES PENDING VOTES**

August 13, 2007

### **PENDING COMMITTEE APPOINTMENTS**

Dr. Barbara Willson, Board of Health

Kathryn A. Acerbo-Bachmann, Historic District (waiting for interview with VCC.)

### **UPCOMING EVENTS AND AGENDA ITEMS**

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda.

Sept. 28     **Don Johnson's Retirement Party at the Maynard Rod and Gun Club,**  
**7:00 p.m. Tickets available at the Town Manager's Office**

Sept. 17

Comcast Cable License Renewal Workshop with Board of Selectmen and Cable Advisory Committee, 7:00 p.m. Town Hall Faulkner Hearing Room

Sept. 24

Site Plan Special Permit, 6/5/07-411, 235 Main Street, Sundberg  
17 Woodbury Lane discussion with the Historic District Commission (HDC),  
Common Vic., 5A Spruce Street

Oct. 9

A Tuesday due to Monday Holiday

Oct. 29

Special Town Meeting: Fire Station, Wireless Communication Facilities  
Committee-Bylaw changes or proposals.

Nov. 13

State of The Town Meeting: Master Plan