BOARD OF SELECTMEN APPROVED MINUTE DISTRIBUTION LIST

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(selectmenLDrive) Minute Cover Sheet

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

October 9, 2007
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.

Present: Andrew Magee, Lauren Rosenzweig, Paulina Knibbe, Dore' Hunter, Peter Berry was absent. The Temporary Town Manager, John Murray was present. Recording Secretary; Christine Joyce The meeting was or will be televised at a latter date.

CITIZENS' CONCERNS

YIN PEET, QUARRY ROAD EASEMENT – The Peet's want to put tension wires on telephone poles within the town's right of way. They need these wires because they have abandoned the underground service to their site. They would like the Town's permission to put these wires on Town land. John Murray said he would be meeting with the Peet's on Thursday and he will have to have it vetted with Counsel and staff. Dore' said that there is nothing we can do at this time and instructed them to have their meeting with the Manager and he would then interface with the Town Manager.

OPERATIONAL MINUTE

John updated the Board on the GIS project. They have flown the town and are putting in ground locations at 20 points in town, we should have a base map available by spring and available in the fall of next year.

PUBLIC HEARINGS & APPOINTMENTS

JOHN BENKERT, SECOND HAND SMOKE ISSUES

Emma and John Benkert of 23 Concord Road. Many clients smoke in a chain-smoking manner. The Benkert's have worked with the AHA and they have done the best they can do in a neighborly fashion. The windows cannot be open or fans used in the northerly part of the house. His daughter has asthma and asked that the board take another look at the laws on the books to make those effective for the kids in Town. Dore' said we would ask the Health Dept. about what might be available to address this.

BOB MCGOWAN, COMMUNITY ALLIANCE FOR YOUTH (CAFY)

Mr. McGowan spoke about the Alliance and noted that they have done wellness days at the Jr. High and have had panels to review the high risk data information. The Alliance has discovered that the high risk in Acton is alcohol. 62% of seniors had drunk 30 days prior to the survey. This is an issue through society. They have given it priority for this upcoming year. They will be doing some market surveys. They are asking the parents and community to sign a pledge that they will not have parties that are unsupervised and that no alcohol will be allowed on their property. They would like the support of the Board of Selectmen in the form of an endorsement.

This says that there is no commitment only to support the plan. The flyer will have those who have supported the plan.

Dore' noted that he endorsed the project. Andy also supported this and he likes the way they have written the message. Lauren also was very happy to endorse this program. Lauren noted that she liked the handouts for the parents and the parent child connection. Paulina too was in favor of this project. LAUREN ROSENZWEIG - Move that the Selectmen endorse the Safe Home plan put forward by the Alliance for Youth. ANDREW MAGEE -second. UNANIMOUS VOTE

LEAGUE OF WOMEN VOTERS

Observation of the November 2006 Election issues and recommendations were discussed with the Board previously. The League appreciated the decision to go back to the original polling places. As they look toward 2008, they think it would be better to address concerns of the existing polling places for accessibility and student safety at Conant and accessibility at the Jr. High especially at night. They are here to offer to convene a committee and facilitate those concerns of safety and accessibility. They will talk with the police and other groups and come back with the results. They want the Board to endorse this project. Dore' asked them to include the schools in this project.

Paulina thanked them for their efforts. Lauren thanked the League for taking this project on. Andy thanked them for volunteering and he appreciated their efforts. Andy noted the traffic problem at the Jr. High in the morning.

John said that he felt that there should be no staff on the committee. PAULINA KNIBBE - Move to endorse the forming of a citizens committee to address the polling locations for accessibility and safety. ANDREW MAGEE - second. UNANIMOUS VOTE

SITE PLAN SPECIAL PERMIT #6/5/07-411, 253 MAIN STREET, KENNETH SUNDBERG

Ken Sundberg outlined the history of the site. It was originally a car wash. It is now a restaurant and office. His tenants want to increase the size of the space. Ken held an information meeting and implemented some of the changes suggested from those attending. He feels that this will be the kick off to this location and spur other changes.

Andy spoke about the number of reviews and some of the issues have been reviewed with the Design Review Committee and the Sidewalk Committee. Andy asked that Lauren and Paulina address the sidewalk and design issues. Andy asked about the expansion into the sewer system. The tenants are now proposing a 30 seat restaurant. Andy noted that the capacity for sewer was figured at build out. Andy spoke about storm water systems; the client's Engineer noted that he has resolved this with the Board of Health and Engineering. They have deep test holes on record. Andy also asked about the Ground Water Elevation as well. Andy asked about compliance with Outdoor Lighting, the applicant has designed them to regulations. Andy also asked about on site snow storage. They meet the standards for snow runoff. The dumpsters and storage sheds will be screened as required and the landscaping plan has been adjusted to reflect the concerns that came out of the citizen's meeting Mr. Sundberg held and now meets the bylaw.

Lauren noted that this is the first plan that went before the Design Review Board and thanked them for their cooperation. Lauren asked about the awnings and roofs. It will have cloth awnings and shingles that look like slate.

Dore' discussed the north side of the property and parking at the bowling alley. Dore' asked about the proposed retaining wall. George said that it is 4 feet and would serve as a leveling of the walkway around the perimeter of the building.

Paulina said that more restaurants are needed in town. She discussed the sewer issues and potential seating. Ken said that he does not think they could get 60 seats, but they would not have to make the building larger. Paulina spoke about the Sidewalk Committee's review. Paulina noted the concern of the sidewalk on the other side of Beverly Road. George D said that they would have to eliminate the landscaping to put the sidewalk in. There was a concern about the front of the property and sidewalk being moved off the edge of the road. Paulina asked if they would consider putting the side walk on the other side of the greenery. Ken noted that they have included the five foot green area in the plan. Andy wanted to have it five feet along the entire green strip. Lauren noted that pole and fire hydrant were not on Mr. Sundberg's property.

Lauren asked about the sidewalk being concrete 6 foot wide with buffer strip and skinny trees on the green strip as a buffer. Lauren also agreed that the sidewalk be placed on Beverly Road and wanted to know about crosswalks. There are crosswalks. The Engineer spoke about the landscaping plan and what they planned on to make it nicer. The Engineer said they will update the plan to use the same screening in the area and would continue it into the site. Lauren asked about the retaining wall. The Engineer said that they will use concrete that will look natural.

Andy asked about the sidewalk going in between the pole and fire hydrant. They can't do it as they do not own this piece of property. Andy said that he felt the sidewalk on Beverly should only go 20 feet; he was not sure whether they needed the second section. Lauren would like the extension continued. She felt it provided a slow down for vehicle traffic. Andy asked about the decorated cross walks made of stamped concrete. ANDREW MAGEE - Moved to take under consideration. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

KEYSPAN, REQUEST TO INSTALL CATHODIC PROTECTION FACILITIES 10 WOOD LANE AND AT SPENCER ROAD

Dore' said that staff has looked into Mr. Munroe's water concerns. Staff has run the numbers and there will be no additional flooding at the proposed site. ANDREW MAGEE - Move to approve subject the conditions of our Engineering Department. LAUREN ROSENZWEIG - second. UNANIMOUS VOTE. John Murray asked that they supply the certified mail proofs, which they gave to Christine for the file

SELECTMEN'S BUSINESS

PERCHLORATE RECOMMENDATION, FIRE CHIEF'S RESPONSE

Dore' noted that we should have the Board of Health handle this issue as the Fire Chief did not feel he had the expertise. The logs will be given to Ms. Holley if she requests them under freedom of information act. Andy felt that the Health Department should look at this and endorsed the Health Department to handle this issue. Andy spoke about contractors and

questioned whether they are they using up to date Material Safety Sheets. Andy felt this should be handled by the Health Department. Andy noted that the blasting logs should be available within 3 days of request. John suggested if we should ask the Water District to perform testing on a yearly basis for Perchlorate.

SCHOOL COMMITTEE DISCUSSION OF BUDGETARY ITEMS

Lauren spoke about the School Committee meeting she attended. She was interested in where they were going with their budgets and capital projects. She noted that we are trying to keep communication and trust. Lauren said that the materials are broken down into Regional and Public Schools. The schools are asking for staff at High school as well as their capital projects. She felt it was valuable to witness this process at the schools first hand. There was discussion of NESWC funds and how they would handle their needs in an override or revenue scenario, and projects that have been neglected will be addressed. She noted a compromise will need to take place. She asked the Members to look over the materials provided by the Supt. Office for the Thursday meeting. John noted the need for personnel at the town level is extensive and it is important to note that we too have needs and it will be a difficult year. John will discuss this at the Thursday meeting when the entire board is present.

DOMESTIC VIOLENCE SERVICES OF CENTRAL MASS

Dore' discussed the request to have a vigil to walk Spruce, Arlington, and Central back to Mass Ave. 6:30 on Thursday. This walk is to recognize those who have been affected by violence. Lauren asked about police and John said that the Police Chief had no comment, but will monitor this activity as it occurs LAUREN ROSENZWEIG -Moved that we approve the candlelight vigil to recognize those affected by violence in Massachusetts. ANDREW MAGEE – second. UNANIMOUS VOTE

SUASCO ACCEPTANCE OF MUNICIPAL ACHIEVEMENT AWARD

Andy updated the Board on the award and other activities planned. Andy will represent the Board on the 10th of November. Andy felt that one person attending would be fine. Dore' may attend if his schedule permits.

OTHER BUSINESS

Dore' up dated the Board on the issue that FEATG has shrunk the size of the building.

Lauren noted the TAC draft Shuttle Report and noted that Franny Osman has meet with John Sharfarz and discussed how to proceed from here and what would be needed to expand commuter services and the recommendations of MAPC. It was noted that we try to get a sense of what the transportation needs are in town and any documentation that would give us an idea about people's patterns, how would a shuttle work, and what it would take to have people give up their cars.

Andy noted the CPC upcoming meeting for potential applications. ARRT Trail 25% design meeting will take place in the Faulkner Hearing Room on October 16th

Andy noted that the Bruce Freeman Trail ground breaking took place today.

Andy discussed the additional Selectmen meetings and said he thought that the meetings were helpful. Andy wants to keep the meetings on line and subject. He recognized the impact on staff.

Dore' said that what we want to put our issues on the table at the Oct. ALG Meeting, as a stake in the ground. He asked that they discuss how this will be funded and general items. He also talked about the Senior Center expansion; the school will have their own needs as well. Dore' said that we have laid the ground work for what our understandings are. Dore' said that they will agree to one question for Fire and one for School. Fin Com has suggested a ladder override with the Fire station as proposed and with the option of keeping the Center Station open. Andy felt that the two step ladder proposal should be on the Agenda for Thursday.

Andy too felt that we limit the Thursday meeting to no longer than an hour and a half. Lauren suggested that the Board look at the Chinitz document and wanted structure for this discussion.

Dore' spoke about the need for Senior Citizen Building expansion or relocation. Dore' felt that this could be noted at the State of the Town. Paulina wanted the Master Plan discussed in this forum. She noted that they are in the process of interviewing a consultant. She wanted peoples input. Andy and Lauren were asked to speak about Sewers at the State of the Town.

TOWN MANAGER'S REPORT

None

CONSENT AGENDA

LAUREN ROSENZWEIG – Moved to accept the Consent Agenda with a hold on 9. Andy wanted the Saturday 29th meeting minutes amended; Lauren wanted the Sept.17th Pre-meeting Executive Session Minutes to be revised in the second paragraph. PAULINA KNIBBE – second. UNANIMOUS VOTE

EXECUTIVE SESSION

ANDREW MAGEE - Move to go into Executive Session to discuss the Executive Session Minutes of September 17th and the Minutes of September 29th, only to come back into Regular Session to adjourn. Roll Call was taken, All Ayes

Christine Joyce, Recording Secty

Clerk, Board of Selectmen

November 19 2007
Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS' MEETING AGENDA

Revisions noted in red

Please Note: This is a Tuesday Meeting

Francis Faulkner Meeting Room

Town Hall

October 9, 2007

7:00 PM

I. CITIZENS' CONCERNS

The Peet's will be in to discuss and easement matter with the Board.

II. PUBLIC HEARINGS AND APPOINTMENTS

1. **7:02 OPERATIONAL MINUTE**
   The Town Manager will provide a brief report on topics of interest.

2. **7:10 JOHN BENKERT, SECOND HAND SMOKE ISSUES**
   Enclosed please find materials in the subject regard, for Board consideration.

3. **7:15 BOB MCGOWAN, COMMUNITY ALLIANCE FOR YOUTH (CAFY)**
   Enclosed please find materials in the subject regard, for Board consideration.

4. **7:20 LEAGUE OF WOMEN VOTERS POLLING PLACE DISCUSSION**
   Enclosed please find materials in the subject regard, for Board consideration.

5. **7:45 SITE PLAN SPECIAL PERMIT #6/5/07- 411, 253 MAIN STREET, KENNETH SUNDBERG**
   Enclosed please find materials in the subject regard, for Board consideration.

6. **8:55 KEYSPAN ENERGY REQUEST FOR INSTALLATION OF CATHODIC DEVICES AT 10 WOOD LANE (*CONTINUED FROM 9/24/07*) & KEYSPAN REQUEST FOR SPENCER ROAD CATHODIC INSTALLATION.**
   Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

7. **PERCHLORATE RECOMMENDATION, FIRE CHIEF'S RESPONSE.**
   Enclosed please find materials in the subject regard, for Board consideration.

7A. SCHOOL COMMITTEE DISCUSSION OF BUDGETARY ITEMS.
   Enclosed please find materials in the subject regard, for Board consideration

7B. DOMESTIC VIOLENCE SERVICES OF CENTRAL MASS
Enclosed please find materials in the subject regard, for Board consideration.

7C. SUASCO, ACCEPTANCE OF MUNICIPAL ACHIEVEMENT AWARD
Enclosed please find materials in the subject regard, for Board consideration.

8. OTHER BUSINESS

IV. TOWN MANAGER'S REPORT

V. CONSENT AGENDA

9. ACCEPT MINUTES
Enclosed please find, Regular and Executive Session Minutes of September 17, 2007, and Minutes of September 29, 2007 for Board consideration.

10. OBSOLETE MATERIALS DISPOSAL, ACTON HIGHWAY DEPARTMENT
Enclosed please find materials in the subject regard, for Board consideration.

11. OBSOLETE MATERIALS DISPOSAL, ACTON MEMORIAL LIBRARY
Enclosed please find materials in the subject regard, for Board consideration.

12. NSTAR ELECTRIC, GRANT OF LOCATION, UNDERGROUND SERVICE, TAYLOR & PARTRIDGE POND ROADS (*NO HEARING REQUIRED*)
Enclosed please find materials in the subject regard, for Board consideration.

13. NSTAR AND VERIZON – PETITION FOR JOINT OWNERSHIP OF UTILITY POLES ON SIMON WILLARD, HEALD ROAD, ELIOT CIRCLE AND COWDREY LAND (*NO HEARING REQUIRED*)
Enclosed please find materials in the subject regard, for Board consideration.

14. REQUEST FOR ANNUAL THANKSGIVING EVE PEP RALLY/BONFIRE
Enclosed please find materials in the subject regard, for Board consideration.

15. COMMITTEE APPOINTMENT, BOARD OF HEALTH, MARK CONOBY, REGULAR MEMBER TERM TO EXPIRE 6/30/10
Enclosed please find the materials in the subject regard, for Board consideration.

EXECUTIVE SESSION

ADDITIONAL INFORMATION

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

MINUTES PENDING VOTES

September 17 Regular and Executive Session, September 24 Regular and Executive Session and, September 29, Special Meeting

PENDING COMMITTEE APPOINTMENTS

Kathryn A. Acerbo-Bachman, Alternate Member of the Historic District Commission, Mike Fisher, Transportation Advisory Committee,

Joy B. Kohout, Commission on Disabilities (Town Manager Appointment)

FUTURE AGENDA

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

October 11- Special Session, 7:30 p.m., Faulkner Room

October 22 – Land/Water Use Study Committee Presentation, CPA Discussion Audubon Hill Sewage Disposal System Repair, NARA Park Dog Leash Regulation Review, Traffic on Maple Street

November 5 & 19

December 3 & 17