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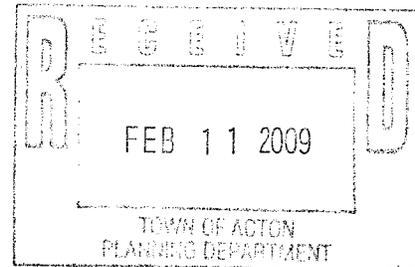
HISTORIC DISTRICT

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Joint Board Meeting on Budgets
Minutes
September 15, 2008
204 Faulkner Room
7:00 P.M.

Participants: Board of Selectmen, Chairman Rosenzweig, Selectmen Knibbe, Magee, Berry and Friedrichs; **School Committee**, Heather Harer, Jonathan Chintz, Marie Altieri, Michael Coppelino, Sharon Smith McManus, John Peterson, Xuan King; **Finance Committee**, Steve Noone, Herman Kabakoff, Pat Clifford, Bill Mullin, Kent Sharp, Maryann Ashton, Doug Tindal, Bob Evans, Pat Easterly; **Town Manager**, Steve Ledoux; **Superintendent**, Bill Ryan; **Assistant Superintendent**, Susan Horn; **Facilitator**, Bart Wendall; **Recording Secretary** Maryjane Kenney

INTRODUCTIONS:

Chairman Rosenzweig of the Selectmen, introduced the facilitator Bart Wendell, and described basic ground rules. For this meeting board members speak first and then time is allowed for audience participation. Mr. Wendell introduced Board members.

BASIC DEFINITIONS:

Steve Ledoux, Town Manager began with budget definitions, noting that people use basic phrases each day in conversation regarding budget and are easily misunderstood because the definitions may vary between the people speaking. It is important that we spend time specifically defining terms; for example what the NESWC funds are, what a tax levy is, and how the limit and the ceiling affect the tax levy (Please see Steve Ledoux's presentation attached). Bill Ryan, Superintendent of the Schools then presented definitions important to the schools' budget. There are many budget drivers and definitions that together affect the school budget. For example, defining per pupil expenditure; that definition has changed from years past. Acton schools expenditures are close to state average. He reviewed Acton's history of Chapter 70 funds and noted increases from 05-08. Health insurance premiums actual has total increase of 55% in 3 years, utilities actual increased 30% in 3 years and personnel actual show a 15% overall increase. Most of the newer staff is young and at a lower pay level than those positions they are replacing. Special Education figures include all costs; teachers, transportation and staff showing an average increase 19%. The school has a Capital plan to replace boilers and univents with hope to save 20-30% in energy costs. 62-63 % of the building projects were funded by the School Building Authority - over 97M in total. Phase 2 is ready to start, and replacements of roofs in Conant, Douglass, Gates and the Administration building will be about \$2.8M. He ended with a brief description of revolving accounts. Marie Altieri spoke to enrollment numbers, stating we are in probably the beginning of a flat period. In 2014 it really does begin to drop; you can predict this due to births and building permits down significantly.

Budget Drivers:

Steve Ledoux noted that the municipal staff had just come off of their annual Budget Retreat. The majority of the municipal budget is derived from Personnel, infrastructure, utilities and debt. 60% of the municipal employees are unionized; this drives our personnel budget.

Bart opened the meeting to questions.

When boilers were chosen was consideration for energy savings as well as financial savings taken into the process? Certainly, Bill Ryan responded, both town and schools are interested in green procurement and that is part of their goal setting. Steve Ledoux stated the Greening of Acton is a priority with his staff. Bill Ryan agreed and they are looking at all options for roof repair. In addition, when procuring buses and school rooms they are looking for green solutions.

Allen Nitschelm asked the Superintendent where we are in our contracts cycle. Bill Ryan responded that 2010 will be renewal time. Allen asked if the raises 5-6% included steps or plus steps. Bill Ryan replied, yes, both. Allen asked why debt payment is off a year and not showing up. Debt payment will show up after July 1, payments come the following year. Allen asked if the Manager had plans to curb Police details in Acton, referring to a report in a local paper. Steve Ledoux would not comment on an article he did not see. Allen asked if the Union rules were affected. Steve cannot discuss bargaining. Allen asked if Enterprise funds are self funded. Steve Ledoux explained it is the goal to be self funded, but it can go up and down for various reasons. Allen asked if NESWC had not been brokered, would it have been \$7M short and why. Steve Ledoux stated yes and Ann Chang replied we overestimated our tonnage. It was unexpected.

Bill Mullin noted that in the 2010 budget is there a dramatic increase, how do you factor it in. Steve Ledoux replied that is the policy we are looking for. Energy costs are affecting everything, even our paving. We do a good job estimating budget drivers. Bill Ryan stated we try to lock in 3 year prices at what we think are good rates. Transportation will be big; we need spare buses and health insurance cost increases. It absolutely impacts our budget where income goes up 2.5 % and expenses are increasing in some cases 15-25%.

Spreadsheet

Steve Noone (Finance Committee) presented a draft 3 year forecast, and his explanation of assumptions/economic factors. There is much risk involved in his sheet as he makes many assumptions which if off even 1% will drastically change the outcome. More than the usual is unknown here. Then he presented 3 options for the future.

Questions: Lauren Rosenzweig clarified in this discussion that there is the ability for tax capacity to grow whether you actually tax that amount or not. The levy moves up whether you use it or not. How many people retiring from the town in the next 1-3 years? That is harder to predict; we have no incentives, so maybe 3-4 a year. Bill Ryan thought about 20 from the schools.

Do we have a policy or a freeze? The Town Manager and the School Superintendent have no policy at this time. Terra Friedrichs would like to see us practice a discipline of real time reviews of expenditures; just because it was approved do we need to review that approval mid year? Should we spend what is approved? Steve Noone stated it is a policy question; Fincom does do quarterly reviews. Steve Ledoux stated we are trying to tighten up the review process. Pat Easterly is concerned about Chapter 70 numbers, provided that increases in local aid are shown.

Is there a consensus among the boards concerning a reduction in state aid and new growth? Yes, Marie Altieri's formula creates a minimum per student in state aid. The state could freeze it, spread it out, or implement the 5 year plan; it may be all dependent on State Revenue.

Allen Nitschelm, can free cash be used to replace recurring revenue. The Department of Revenue does not recommend using free cash for operations. Why is ALG suggesting using it? Steve Noone stated he disagrees with the states analysis; it is a timing recommendation. Free cash is a regenerating source.

Charlie Kadlec asked about the Neswc funds. What exactly are we buying? We could not tell you. We cannot vote on a model. Bill Ryan stated \$250K for local school budget and \$100k technology. What is the expenditure for municipal? Show the list. Both Steve Ledoux and Chairman Rosenzweig assured him that you are welcome to the list as it comes through our budget process. Some of the immediate items for funding include sidewalks, capital for sewers and capital for savings and land purchases.

It was asked how we are holding the budget with 42 new hires and 20 retirements at the schools. The answer is replaced positions, new positions and leaves for staff. Some without professional status and some have professional status. What is the corrective creative action? Steve Noone a Task Force is possible but there is a lot to do already and analysis takes a lot of time. We cannot just have another group we cannot support.

Capital Plan

Steve Ledoux (Municipal) said we can not speak to capital plan yet; our Department's requests are over 12M and we need to be selective. He defined capital as over 25K and 5 year life, and not personnel. Bill Ryan

(Schools) capital plan consists of Phase II roofs and 3M Phase II Technology upgrade.

Budget Schedule/Calendar

Steve Ledoux will make his recommendation on December 15th for the municipal side and on January 10th and January 26th the BOS will make their recommendations. Bill Ryan will have draft schedules starting in November. JD Head will assess building needs, Marie Altieri will assess technology and the School's principals will assess personnel.

Wrap-up Questions

Doug Tindal stated that if salaries are the only thing to cut the town is in trouble. Balance would be to see what the impact would be to lay off people. For example how many people is 2%? Steve Ledoux stated maybe 20. Bill Ryan said to make a difference 40 certified teachers at least would have to go. You can't just eliminate programs as there are state regulations. If you make any plan at this point and implement it, it will come with a lack of services/programs. Herman Kabakoff stated this is just rhetoric at this point in the budget cycle and is only being spoken about because we have to have a "what if" scenario. We should not be talking layoffs. Bill Ryan noted we could also talk about transportation and have payment for transportation, but really cuts would be in programs, as Sped assistants and teachers are driven by student's plans.

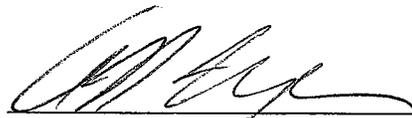
Basic Definitions refers to explanations of Proposition 2 ½, budget terminology, explanation of the various revolving funds, enterprise funds, reserves, etc. that each entity should be aware of.

Budget Drivers refers to explanations of the costs/issues that greatly influence the budgetary considerations from year to year.

Capital Plan refers to projects that need to be done to maintain or add to existing infrastructure. Included in this discussion will be a discussion of state and federal laws and mandates and the need to consider these "have-tos" in the budget process.

Recording Secretary
Maryjane Kenney

Date 2/2/09



Clerk, Board of Selectmen
Andrew D. Magee

Board of Selectmen-Continued Session Minutes

September 15, 2008
Room 204, Town Hall

Present: Chairperson Rosenzweig, Selectmen Magee, Knibbe, Berry and Friedrichs, Town Manager Steve Ledoux and Recording Secretary Maryjane Kenney

The Board continued in session to discuss the Citizen Petition and preparing the warrant. Allen Nitschelm stated it has come to his attention that the warrant will be going out and the town Boards are not in support of the Citizen Petition. He would like to have several pages supporting the citizen's group point of view written in the warrant. Andy Magee's first thought is that the Warrant was brought by special petition and should be detailed by them. Chairman Rosenzweig asked the manager what should be taken into account. Steve Ledoux does not see any legal issue with having room in the Warrant for their position. Chairman Rosenzweig would like to understand where the Board stands on this issue. Position statements are not usually put in a Warrant. They should be held separate. Selectwoman Knibbe stated ALG wants to put in their spreadsheet. She would like to include financial information. Traditionally the Board will put in the Warrant a position, recommend or not recommend. The spreadsheet shows three options depending on if the petition fails or passes. Fincom thought that the ALG spreadsheet might be perceived as negative and misleading.

There will be two separate votes:

1. Do we agree with the recommendation of ALG to include their spreadsheet in the special warrant as well as the assumptions in a foot note stating that 1M of NESWC will not be spent but reserved for any future liability? The second footnote being that the numbers are volatile and subject to change.

Chairman Rosenzweig moves Selectmen Knibbe seconds. Selectman Friedrichs has questions stating that this spreadsheet looks like "a license to spend." She would like a footnote to meet again to vote on spending. Selectmen Knibbe reminded her that it has to be allocated only at Town Meeting. Selectmen Magee stated the Board is not voting a budget. You have a model with some sense of what a budget will look like. Selectmen Berry stated concern that we are putting information in the warrant which we have never done before. It is not the appropriate vehicle. It should be separate; the town and the Citizen group should place information elsewhere. Chairman Rosenzweig stated each house gets a warrant and therefore will get the financial information. Selectmen Knibbe emphasized it is simply a projection. Steve Ledoux added that the numbers are volatile and subject to change. It will be written with many caveats. Herman Kabakoff stated that historically the Finance Committee puts out the long range plan. Town meeting did not approve this; the Finance Committee is just using it as a projection. If there is a message whoever and where ever you publish it that

is where you can include the caveats. ALG has no official standing. Chairman Rosenzweig stated the BOS will decide if it goes into the warrant. Chairman Rosenzweig moved again all in favor say aye. The vote was taken with the friendly amendment on foot notes, 4 ayes and 1 abstention from Selectman Friedrichs, the motion passes.

2. Should we enter information pro and con summary pages in the warrant? Selectman Magee strictly on fear of being called biased, we should not do this and have presentations at town meeting. Leave all the arguments out and stick with the traditional, recommend or not recommend. The petition is an argument Steve Ledoux stated, and a legally written article. Selectwoman Knibbe thought we should write a brief argument stating our point of view. A brief introduction would be good stating what it means for the town, what a special town meeting is and why it has been called. Explanations of what will happen in each scenario should be included. Selectwomen Friedrichs stated that doesn't tell much because there are not any cold facts. Allen Nitschelm quoted from the conversations he had been listening to. He agrees with everyone's sentiment. Get the citizens to go to town meeting with information and questions. The ALG plan is biased. His group is looking for fairness and balance. If the Town gets a spreadsheet then AVG gets a spreadsheet. If the Town gets a paragraph then AVG gets a paragraph. Selectwoman Knibbe questioned whether we accept material from all different citizen groups. Allen Nitschelm responded that this petition is only for Acton Voters Group and everyone must speak to it. It is our petition. Herman Kabakoff would like to add more information rather than less. Selectmen Berry said he has seen booklets on ballot questions and they give pros and cons, but not non-governmental comments. Cost is part of the concern. Selectwoman Knibbe said lets try two pages for each side. Preserve Reserve is a different group formed to oppose the Acton Voter Group, what about them? Chairman Rosenzweig thought that two pages were very reasonable. Dick Calandrella thought the first vote was wrong. A simple warrant and 3 presentations would have been sufficient. Chairman Rosenzweig moved that 2 pages for each the Town and the AVG in addition to the financial data which Finance Committee will include will be acceptable to include in the Special Warrant. All voted in favor. Chairman Rosenzweig suggested that she and Selectwoman Friedrichs can write the pages. They will need to post a draft and send to the entire Board.

Selectman Magee called for roll call vote to go into executive session to discuss land acquisition, and to come back into regular session only for the purpose of closing the meeting.

Maryjane Kenney
Recording Secretary



Clerk, Board of Selectmen

2 February 2009
Date

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**November 17, 2008
Acton Town Hall, Francis Faulkner Hearing Room
7:00 P.M.**

Present: Lauren Rosenzweig, Paulina Knibbe, Terra Friedrichs, Andrew Magee, Peter Berry, Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Ann Chang – Announced the League of Women Voters is going to have forum on December TH at 7:30 p.m. in room 204 on the study of review of Town Meeting Process. They will present a list of suggestions to the Board for review and consideration.

Tom Michleman – Spoke about the tunnel/bridge options with regard to the Bruce Freeman Rail Trail. Tom noted that if they do not get the money they want a place holder on CPA Funds.

Karen Ecker, 9 Agawam, felt that helping Mr. Fenton with his problems with the utilities was inappropriate because she didn't feel as though it's the BOS's role to help one business owner without helping them all.

Mr. Ledoux replied that within reason we would help anyone, business/property owner, or resident, who was having trouble getting hooked up to a utility that we permit.

OPERATIONAL MINUTE

None

CHAIRMAN'S UPDATE

Lauren announced the Charlotte Sagoff garden project at the Library is underway.

Lauren reported on Elections and reported on the process and thanked all those who helped

Cobblestone Issue - Lauren read a prepared statement with regard to the Cobblestone work performed last year in front of Town Hall.

Veteran's Day – Dan Silva spoke at the cemetery

SELECTMEN'S REPORTS

Lauren reported on the Safety Net meeting.

Cable Advisory status was reported by Terra

Terra noted Design Review Board if reviewing issues with density in the villages and zoning language that may need to be clarified.

Terra reported Green Team people and that there has been many people coming forward

Terra thanked the donors who supplied plywood and supplies to secure the State owned Wright Holden property.

Terra noted that the Lothrop Mill project has been withdrawn

Terra reported on EDC Meeting, it was very good meeting. Over 20 people showed up, including business owners, residents with business development experience, and Town officials. A large list of action items was drawn up. EDC will go back and organize the list and suggested priority actions.

PUBLIC HEARINGS & APPOINTMENTS

COLONIAL SPIRITS, 87 GREAT ROAD, ALTER PREMISE REQUEST

The Board heard the request to Alter the Premise as prescribed by ABCC

ANDREW MAGEE - Moved to, send approval to the Alcoholic Beverage Control Commission (ABCC) for their action. If it needs to be brought before the Design Review Board (DRB) for their comments we will send to DRB when the plans are received. PAULINA KNIBBE - second UNANIMOUS VOTE.

ROUTE 2 TRAFFIC ROTARY ALTERNATIVES

The Board discussed the alternatives 3 and 5 and suggested that Concord choose Alternative 3 refined. Ms. Arthur and the State's Design team from Earth Tec outlined their review of the Alternatives they have developed. Lauren wanted to support having the BFRT go underground. She also was concerned with the traffic on 2A and did not want to discourage use of 2A west.

Dore' Hunter spoke on this issue he feels that Alterative #5 is appropriate.

Steve Steinberg – Asked several questions and effect on west bound traffic.

Brandy Brandon – asked questioned wildlife crossings.

COMMISSION ON DISABILITY OVERSIGHT MEETING

Lisa Franklin of the COD spoke about what has been happening during the last year with regard to transportation. They want to distribute a list of volunteer drivers. They want to have any one who wants to go to Town Meeting or attend evening committee meetings be able to. She said that a night van is needed. She also noted we do not have a Transition Plan as required by the American with Disabilities. She believed it was prepared but no one seems to have a copy of it. The Board directed the Manager look into the use of volunteer drivers list and requirements of service on the Commission.

SITE PLAN SPECIAL PERMIT #10/2/08-416, 525 MAIN STREET, 88 CHAMPS, L.L.C

The Board heard the presentation and felt that we would need to continue this in order to have the proponent answer questions raised by staff as he was not given a copy of the Staff comments prior to the meeting. PAULINE KNIBBE – Moved to vote to continue to December 1 at 8:20 PETER BERRY - second. UNANIMOUS VOTE:

Todd Hennessy, 521 Main Street was concerned about the impact this would have on his property.

Tim Doncaster, 523 Main Street asked for more information regarding the trees and screening of their homes, which use a shared driveway

An Attorney for the Doncaster's spoke about issues that his client had raised and felt they needed assurances from the developer with regard to those concerns.

CEMETERY COMMISSIONERS ANNUAL OVERSIGHT MEETING

The Commissioner's updated the Board of their activities during the last year and spoke about a policy regarding Dogs on Cemetery property as well as discussing the need for storage facilities for their equipment.

The Commissioner's wanted a NO DOGS Allowed rule that carried an incremental fine of \$25 as first offense. It will need to be brought to Town Meeting as a Bylaw in order for enforcement by the Police Dept.

Andy suggested that we plan on amending and develop a bylaw to address the Dog ban within the Cemeteries. Terra suggested that we might want to consider a fine that is greater than \$25.00.

SELECTMEN'S BUSINESS

ALG UPDATE

No issue

LAND BANK

Terra outlined the proposal for a Land Bank. Peter discussed how the Nantucket Land Bank worked. Peter said we don't need a bylaw change to go forward to have monies available to move quickly on land opportunities that come up.

Paulina felt that Open Space Committee should look into this and report back to the Board of Selectmen.

Lauren said open space is very important to Acton.

Andy will take it up in Open Space Committee.

Terra was asked to meet with Open Space Committee and work on this issue

Audience Members Mr. Brandon and Mr. Hunter said it was unfair to tax people leaving Acton

LAND CLEARING BYLAW

Terra outlined the bylaw and proposed change to the Town Bylaw. Terra wanted to take a look at this. Paulina felt that it should be handed off. Lauren felt it was Open Space or Conservation. Andy suggested he will take it to Open Space.

ACCEPTANCE OF PROPANE TANKS AT THE TRANSFER STATION

The Board discussed the materials submitted by staff in regard to the acceptance of empty propane tanks at the Transfer Station. PAULINA KNIBBE - Moved to accept the empty tanks with a \$5.00 fee. ANDREW MAGEE - second. UNANIMOUS VOTE

ACCEPTANCE OF BRUSH DROP OFF OR PICK UP AT THE TRANSFER STATION

The Board discussed the materials submitted by staff in regard to the acceptance of brush drop off and pick up at the Transfer Station. PAULINA KNIBBE - Moved to charge \$5.00 Fee to use the Drop off. ANDREW MAGEE – second. UNANIMOUS VOTE

ACHC REQUEST FOR PERMISSION TO SPEND COMMUNITY HOUSING AND PLUTE HOUSING GIFT

Nancy Tavernier's Memo outlined her request to use funds from the Community Housing and Plute Housing Gift in the amount of \$140,000. PETER BERRY - Moved to approve expenditure of funds, LAUREN ROSENZWEIG - second. 4 – 1 Terra abstained

Terra wanted an impact analysis from the Fin Com. Terra feels that it's important to understand the on-going costs of affordable housing. She also mentioned that paying a developer to develop his own 40B units is like "Developer Welfare". She added that paying public money for additional units is not the intent of "Condo-buy-down", which is intended to buy-down the price of existing units, not new units. It was explained that this was a unit for the Housing Authority, a State agency that buys property to rent to families who are in need

Andy felt he could support paying this through the Housing funds, we put these committee's together to address housing needs.

Paulina also felt comfortable with this expenditure and noted she does want to get to the 10%.

ACTON LEAGUE OF WOMEN VOTER REQUEST PERMISSION TO HOLD A TOWN BOARD VOLUNTEER JOB FAIR.

The LWV request to hold a Town Board Volunteer Job Fair. PETER BERRY – Moved to Approve. ANDREW MAGEE - second. UNANIMOUS VOTE

Andy felt we should mandate committee attendance at the Job Fair.

STEINBERG LALLI CHARITABLE FOUNDATION AWARD TO A POLICE AND FIRE EMPLOYEE FOR MERITORIOUS AWARD

The Town Manager announced the expanded scope to include Public Safety employee award of the Steinberg-Lalli Charitable Foundation.

ANDREW MAGEE - Moved to approve. PETER BERRY – second UNANIMOUS VOTE

Terra asked if other communities are accepting payments to town employees by developers. She said that the concept seemed akin to bribery. It was explained that the intent was to give recognition to both Town Employees and Public Safety Personnel who rarely get any recognition by the Community

PROPOSED RECREATION FEE ADJUSTMENTS FOR NARA BEACH, NARA YOUTH PROGRAM AND FIELD AND FACILITY FEES

The Board reviewed the proposed changes to NARA fees as outlined in the memo. PETER BERRY - Moved to approve. PAULINA KNIBBE - second. UNANIMOUS VOTE Terra mentioned that she has asked for and still hasn't seen any cost accounting for NARA.

OTHER BUSINESS

None

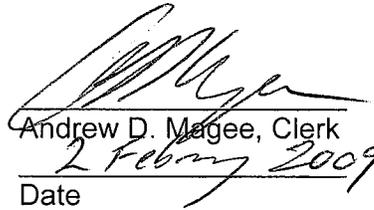
CONSENT

TERRA FRIEDRICHS – Moved to approve with addition of Brendan Cotter and Kim Bodnar as Full Members to the Recreation Commission. PETER BERRY – second. UNANIMOUS VOTE.

EXECUTIVE SESSION

Andrew Magee – Moved to go into Executive Session to discuss, contract negotiations, Land Issues and Grace Strategy. Roll Call Taken, ALL AYES. The Board will enter back into public session only to adjourn


Christine Joyce, Recording Secty


Andrew D. Magee, Clerk
2 February 2009
Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA REVISED TO ADD #26

Francis Faulkner Hearing Room

November 17, 2008

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 CHAIRMAN'S UPDATE

The Chair will briefly update the Board on Topics of interest.

2. 7:10 OPERATIONAL MINUTE

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

3. 7:15 SELECTMEN'S REPORTS

Board Members will report on items of interest

4. 7:20 COLONIAL SPIRITS, 87 GREAT ROAD, ALTER PREMISE REQUEST

ISSUE: Local Licensing Board (BOS) approval to Alter Premises Transaction under Alcoholic Beverages Control Commission (ABCC) requirement

5. 7:30 ROUTE 2 TRAFFIC ROTARY ALTERNATIVES

ISSUE: Discussion of preferred Alternative chosen by Concord

6. 7:45 COMMISSION ON DISABILITY OVERSIGHT MEETING

ISSUE: Annual Oversight Meeting

7. 8:00 SITE PLAN SPECIAL PERMIT #10/2/08-416, 525 MAIN STREET, 88 CHAMPS, L.L.C. (LAUREN ROSENZWEIG, BOS)

ISSUE: Site Plan presentation

8. 8:20 CEMETERY COMMISSIONERS OVERSIGHT MEETING

ISSUE: Annual Oversight Meeting

III. SELECTMEN'S BUSINESS

9. ALG DISCUSSION

No Materials Enclosed

10. LAND CLEARING BYLAW

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

11/20/08
1/2/11

- 11. ACCEPTANCE OF PROPANE TANKS AT THE TRANSFER STATION**
Enclosed please find materials in the subject regard, for Board consideration.
- 12. ACCEPTANCE OF BRUSH FOR DROP OFF OR PICK UP AT THE TRANSFER STATION**
Enclosed please find materials in the subject regard, for Board consideration.
- 13. ACHC REQUEST PERMISSION TO SPEND \$100,000 OF THE COMMUNITY HOUSING PROGRAM FUND AND \$40,000. FROM THE PULTE HOUSING GIFT FUND**
Enclosed please find materials in the subject regard, for Board consideration.
- 14. ACTON LEAGUE OF WOMEN VOTER REQUEST PERMISSION TO HOLD A "TOWN BOARD VOLUNTEER JOB FAIR".**
Enclosed please find materials in the subject regard, for Board consideration.
- 15. REQUEST TO ENDOW A MERITORIOUS AWARD TO A POLICE AND FIRE EMPLOYEE EACH YEAR FROM THE STEINBERG-LALLI CHARITABLE FOUNDATION**
Enclosed please find materials in the subject regard, for Board consideration.
- 16. PROPOSED RECREATION FEE ADJUSTMENTS FOR NARA BEACH, NARA YOUTH PROGRAM, FIELD AND FACILITY FEES**
Enclosed please find materials in the subject regard, for Board consideration

IV. CONSENT AGENDA

- 17. ACCEPT MINUTES, BOARD OF SELECTMEN, OCTOBER 20, 2008**
Enclosed please find materials in the subject regard, for Board consideration
- 18. SEWER ACTION COMMITTEE APPOINTMENT, RON BECK**
Enclosed please find materials in the subject regard, for Board consideration.
- 19. GREEN ADVISORY BOARD, ACCEPT CHARTER**
Enclosed please find materials in the subject regard, for Board consideration.
- 20. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of 10 cases of juice valued at \$85.00 from Welch Foods Inc. for use at Monsterbash, for Board consideration.
- 21. ACCEPT GIFT, COUNCIL ON AGING**
Enclosed please find a gift of Wii Video game and four controllers from Philip Li of Acton for seniors at the Senior Center to use for limited exercise

22. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$300.00 from Ashley Pickard, Marketing Director of Cambridge Savings Bank to fund Animal Adventures at the Winter Carnival.

23. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift from the Acton Boxborough Youth Baseball Event Coordinator to sponsor "Wally" the Red Sox Mascot a value of \$642.22 for Winter Carnival

24. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

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

25. ONE DAY LIQUOR LICENSE, MERRIAM SCHOOL STAFF PARTY AT THE CHURCH OF THE GOOD SHEPHERD

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

26. TOROS L. MAKSOUDIAN, COMMITTEE APPOINTMENT, ASSOCIATE MEMBER OF THE CONSERVATION COMMISSION

Enclosed please find Mr. Maksoudian's VCC application for Board consideration

V. EXECUTIVE SESSION

There will be a need for Executive Discussion to discuss Contract Negotiations and negotiation strategy, School Street Property and Litigation Strategy, W. R. Grace Sewer Betterments

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.

DECEMBER 1 & 15 JANUARY 12 & 26, 2009

MINUTES PENDING VOTES

September 15, 2008, Joint Boards Meeting, November 4 Special Selectmen's Meeting

October 20, 2008, November 3, 2008

PENDING COMMITTEE APPOINTMENTS

Brendan Cotter, Recreation Commission has been interviewed by VCC and recommended to Full Member of the Recreation Commission, his application has been forwarded to Selectmen Liaison Magee.

Kimberly Bodner, VCC has interviewed her for a Full Member of the Recreation Commission her application has been forwarded to Selectmen Liaison Magee

Greg Hutchens, TAC, VCC, A/B CULTURAL COUNCIL, COA, he is going to visit committees he feels he would like to be appointed to, we are waiting to hear from him

Elizabeth J. Payne, Volunteer Coordinating Committee (VCC), her materials have been forwarded to VCC for processing

Ilia A. Kurenkov (Alex), VCC has interviewed him for several boards he is interested in. He will visit the various boards and committees and will let the VCC know of his decision.

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

December 1, 2008

**Acton Town Hall, Francis Faulkner Hearing Room
7:00 P.M.**

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Terra Friedrichs
Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Rene Robbins, Windsor Ave –she wanted to discuss the letter to the State about rotary options and the favored alternatives. She asked that we revisit our choice Alternative.

Ann Sussman – She discussed the approaches to the Rotary Issue.

Dore' Hunter – There is a meeting CAC later this month at 8:00 am at Highway 4. He will supply the date if any one wants to attend.

OPERATIONAL MINUTE

Steve reported that the Community Services Coordinator selection is complete and we will present an offer once the CORI check is received.

Steve has opted to waive the hiring freeze for two Departments, the Police and a van driver for COA

Steve also noted that the Christmas lights are now LED.

CHAIRPERSON'S REPORT

Lauren noted that at a later meeting the Board will talk about the commuter parking lot

SELECTMEN'S REPORTS

Paulina reported on the School Committee's interest in the Green Advisory Board. There will be an article in the Beacon to ask for people to come forward to be on the Board. The committee will interview and select members in January.

Senior Center Expansion meeting had chosen three sites. The location of the first option for a new building is not a good choice due to wetlands. Second option is at Quarry Road

Peter noted the meeting of the Health Insurance Committee. The percentages are running high, but will probably be a 10% increase. He will send income and charge information to the Board. He asked that it be addressed at the next meeting.

Peter updated the Board on the Agricultural Commission in Acton. Peter will be creating a Charge for the South Acton Commuter Lot Committee.

Terra reported on the Cable Advisory Committee and that they will be making offers to the consultants.

Terra reported that the Mill on River Street has been torn down. She also wanted to talk about community planning if we have time tonight.

Andy reported on a meeting of OAR that was asking for opinions for removal of dams along the river (no removals in Acton).

Andy spoke about WRAC and the need for a separate sewer committee to address Flint/Tuttle and West Acton.

Lauren spoke about the Cemetery and dogs and noted that the Heath Hen Trail will allow walkers with Dogs to keep off the cemetery land with their dogs.

Lauren reported that Terra's coordinated efforts to produce a document out of the Safety Net meeting and she has sent out a resource guide to those interested.

Lauren announced that the Acton Boxborough United Way has begun their fund raising drive.

Lauren noted that we are looking for a new Supt. of Schools and are asking for input from citizens of Acton.

PUBLIC HEARINGS & APPOINTMENTS

TAX CLASSIFICATION HEARING

David Brown, Chairman of the Board of Assessors described the various votes that the Board could adopt and whether or not there is a shift in the Classes.

Andy noted that he did not have any questions but wanted to keep equal tax rate between the two classes.

Paulina asked about the tax levy chart and subtotals.

Peter asked for clarification on the percentage of what is paid by the homeowners and Commercial rate.

Terra asked why we have spent so much time to analyze the shift from residential to business. She wants us to consider analyzing other types of changes that might be more in keeping with incentives for businesses things that we want them to do. She said that the Community Planning effort is finding that residents want certain types of businesses to come to Acton. She wanted the Boards blessing to work with the Assessors for next year.

Charlie Kadlec – asked about cell towers and telephone poles being personal property and the new growth figure of over a million. The Board of Assessors doesn't expect this will be occurring again. The Assessor said that this could be reversed by the courts, but we have planned for that event.

David Didrikson, Resident and business owner in Acton spoke about the shift and noted a change would result in no money coming to the Town.

Dore' Hunter spoke about past hearings and noted there should not be a shift.

PETER BERRY - Moved to have an equal tax rate between commercial and residential TERRA FRIEDRICHS – second. UNANIMOUS VOTE

PAULINA KNIBBE Moved not to adopt an Open Space Discount – PETER BERRY, second. UNANIMOUS VOTE

PAULINA KNIBBE – Moved not to adopt Residential Exemption – PETER BERRY – second. 4-1 motion passes. Terra abstaining

PAULINA KNIBBE Moved to not adopt a Small Commercial Exemption– PETER BERRY – second 4-1 Motion Passes – Terra Abstained

PAULINE KNIBBE – Moved to Adopt a Residential Factor of 1% which will result in a rate \$16.53 ANDREW MAGEE – second. UNANIMOUS VOTE

88 CHAMPS LLC, SITE PLAN #10/2/08-416, 525 MAIN STREET

Chairperson Rosenzweig opened the Site Plan Hearing, and continued to December 15, 2008 at 8:40 P.M. The proponent has signed the extension agreement approving of the rescheduling to December 15, 2008. ANDREW MAGEE – Moved to continue the Hearing to December 15, 2008. PETER BERRY – second. UNANIMOUS VOTE

SELECTMEN'S BUSINESS

EXCHANGE HALL DISCUSSION

Lauren spoke about a possible sale or lease of the Exchange Hall. The group that is forming is concerned that it may never have public access again if it changes hands. The community wants it brought back to be functional. The Citizen's Group is thinking about the possibility of forming a non-profit to raise funds to purchase and continue to renovate the building.

Lauren wanted to know how much the Town could help them.

Terra said she felt it is a worthy cause but should be supported primarily privately of be a foundation.

Peter thinks is it an opportunity we need to follow up and research the issues. Sewers have made a big difference to this property and others in South Acton. Peter noted that simply appearing on the Historic Register does not stop demolition.

Paulina felt it should be privately funded.

Andy agrees with much of those things discussed. He noted the misunderstanding of the vote by CPC and assured that until the building is renovated it will not receive any Town funds from CPA.

Walter Foster spoke about the research to explore what may be feasible. They will be looking toward filing a 5013C to then do an assessment and look at the financial implications.

Dore' Hunter spoke about the sewer system history in South Acton over the past 20 years which brought relief to the Exchange Hall as well as others in South Acton.

Steve Noon spoke about the financial analysis that Berger brought to CPC.

Terra wanted a letter drafted and offered to draft this letter.

2009 LICENSE RENEWALS

Full Liquor as a Common Victualler- PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. 4-1 Motion Passes, Lauren Rosenzweig recused as she is a member the Country Club

Common Victualler Wine/Malt -PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Retail Goods Full Package Store - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Retail Good Package Store Wine and Malt Beverages - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Carry in liquor license - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Entertainment Licenses- PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Bowling Alley - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

24 hour Permit CVS - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Billard Table License - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Automatic Amusement - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Taxi Cab License - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Taxi Cab Driver - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

To Tell Fortunes for Money - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – second. UNANIMOUS VOTE

Common Victualler Licenses - PAULINA KNIBBE – Moved to accept. ANDREW MAGEE – Second. 4-1 Motion passes. Lauren abstained as she is a member of the Country Club

REVIEW DRAFT LETTER TO MASS HIGHWAY REGARDING ROUTE 2 ROTARY

Lauren spoke about her brief draft to have the board look at and to make any changes or edits. Staff has looked at the different plans and has spoken to Earth Tech.

Terra wanted to work with Concord to tell the State what we want. Lauren felt we needed to let the State know our opinions during their review.

Paulina said some have expressed concern about what is being proposed and felt they should look at the presentation that was given at the last meeting, she is willing to send the draft letter as it is written.

It was decided that a redraft will be done by Lauren. Alternative 5 is favorite for traffic, but want to preserve open space. The Wright Holden House should be added as well as the Elm Street merger language.

REVIEW FINANCE COMMITTEE POINT OF VIEW

Lauren thanked the Fincom for their Point of View document.

Peter commented on the Health Insurance Trust.

Terra said it was a good piece of work by Bill Mullin and agreed with Peter. She stressed the importance of preserving out reserves in this uncertain time.

Andy spoke about the comments regarding employee parity issue. He did not feel this year was right time for bonuses but we should not forget to complete the Parity process.

Paulina noted that the municipal side will be hit first by the cuts from the State and Lottery proceeds.

Steve Noon thanked them for their feedback. They will take a position on reserves. They would like to see the governor's budget. They are pursuing some of the ideas such as the Re-Engineering study that is now 10 years old.

QUAIL RIDGE TRAIL EASEMENT

Lauren recused her self as she is a member of the Country Club.

TERRA FRIEDRICHS – Moved to approve the Trail Easement as stated in the prepared Motion. ANDREW MAGEE – second. 4-1 Lauren Abstaining. Motion Passes (language of the vote attached to the minutes).

OTHER BUSINESS

Lauren updated the Board on the Suburban Mobility Grant letter of intent. This is a federally funded program to get people out of their cars out in the suburbs and to use the Train. This will help mitigate pollution. Terra had several changes which Lauren will incorporate into the letter before sending it out.

Terra spoke about her memo regarding issues to give interim guidance. She believes that we have a lot of guidance from the town that came out of the Community Visioning effort and that we should use this to redirect staff effort to be more in keeping with what the town wants. Lauren gave an overview of what the goals for staff are and it is monitored by the Town Manager.

CONSENT

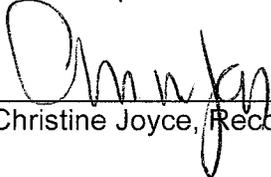
Quail Ridge Settlement Agreement #15 – Lauren recused herself from voting as she is a member of Quail Ridge

PAULINA KNIBBE - Moved to accept Consent with #15 Held. ANDREW MAGEE – second.

PAULINA KNIBBE – Moved to accept #15, PETER BERRY – second. UNANIMOUS VOTE

EXECUTIVE SESSION

None Required



Christine Joyce, Recording Secty



Andrew D. Magee, Clerk
Date: 2 February 2009

**RECORD OF VOTE OF THE ACTON BOARD OF SELECTMEN
DECEMBER 29, 2008**

At a duly called public meeting of the Acton Board of Selectmen on December 29, 2008, the Board voted _____ as follows with respect to approximately 15 acres of real property located on the east side of School Street, approximately 700 feet southerly of the intersection of Route 2 and School Street in Acton, which real property is the southern portion of Lot 6 on Assessor's Map H-4 (the "Property"):

- a. To approve and execute the license agreement between the Town of Acton and the Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance on behalf of its Department of Corrections (the "Commonwealth"), that was delivered to the Board on December 29, 2008.
- b. To authorize the Town Manager of the Town of Acton to take all actions and to execute all documents on behalf of the Town that are reasonably necessary, in the judgment of the Town Manager, to complete the execution and delivery of the license agreement between the Town and the Commonwealth.

TOWN OF ACTON
By its Board of Selectmen



Lauren S. Rosenzweig, Chair

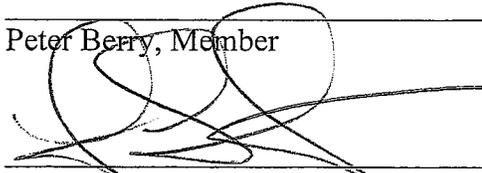


Paulina Knibbe, Vice-Chair



Andrew D. Magee, Clerk

Peter Berry, Member



Terra Friedrichs, Member

DATED: December 29, 2008

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Hearing Room
December 1, 2008
7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. **7:05 CHAIRMAN'S UPDATE**
The Chair will briefly update the Board on topics of interest
2. **7:10 OPERATIONAL MINUTE**
The Town Manager will provide a brief report on topics of interest
3. **7:15 SELECTMEN'S REPORTS**
Selectmen will report on meetings and activities they have attended
4. **7:30 TAX CLASSIFICATION HEARING**
ISSUE: Annual Tax Classification Hearing
5. **8:20 88 CHAMPS, LLC, 525 MAIN STREET, SITE PLAN #10/2/08-416**
ISSUE: Site plan was opened and rescheduled to allow the proponent's engineer to address staff comments. *(Chairperson Rosenzweig will ask proponents to continue to December 15th at 8:40 to allow for staff review)*

III. SELECTMEN'S BUSINESS

6. **EXCHANGE HALL DISCUSSION**
No Materials Enclosed
7. **2009 LICENSE RENEWALS**
Enclosed please find materials in the subject regard, for Board consideration.
8. **REVIEW LETTER TO MASS HIGHWAY REGARDING ROUTE 2 ROTARY**
Enclosed please find materials in the subject regard, for Board consideration.
9. **REVIEW FINANCE COMMITTEE POINT OF VIEW**
Enclosed please find materials in the subject regard, for Board consideration.
10. **QUAIL RIDGE TRAIL EASEMENT**
Enclosed please find a sample vote drafted by Counsel for Board consideration
11. **OTHER BUSINESS**

IV. CONSENT AGENDA

- 12. ACCEPT MINUTES, OCTOBER 20, AND NOVEMBER 3, 2008**
Enclosed please find revised minutes with changes made per Board members
- 13. ELIZABETH WHITE FUND CONFIDENTIAL HOLIDAY GRANTS**
Enclosed please find materials in the subject regard, for Board consideration.
- 14. ROBBINS BROOK RETIREMENT, PHASE III SITE PLAN #11/18/98-366
EXTENSION REQUEST**
Enclosed please find staff comment in the subject regard, for Board consideration
- 15. QUAIL RIDGE SETTLEMENT AGREEMENT**
The Manager would like the Board to authorize Town Counsel to process this Agreement regarding the Water Withdrawal violation issued by the Board of Health
- 16. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$50.00 from Onyx Transportation to be used for the 2009 Summer Concert Series, for Board consideration
- 17. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find gifts totaling \$235.00 to be used to directly support the Elm Street Playground project
- 18. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$100.00 from Especially for Pets, to be used to support the 2009 Summer Concert Series
- 19. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$100.00 from Litchfield Plastering, to be used to support the 2009 Summer Concert Series
- 20. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$4,000.00 from Roche Brothers to be used to support the 2009 Summer Concert Series
- 21. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$75.00 from Ruth Lull to be used to support the 2009 Summer Concert Series
- 22. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$100.00 from Longfellow's Wayside Inn, to be used to support the 2009 Summer Concert Series

23. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$250.00 from Gerald and Barbara Browne to be deposited in to the Citizens' Library Gift Fund for used by the Librarian and Trustees as they see fit

24. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$500.00 from the West Acton Merchants and Business & Professional Association, to be used to purchase DVD's

25. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$1,407.50 from the Citizens' Library Auxiliary, to be used for the purchase of juvenile non-fiction books

26. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

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

V. EXECUTIVE SESSION

None Required

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.

DECEMBER 15

FEBRUARY 9 & 23

JANUARY 12 & 26

MARCH 9 & 23

MINUTES PENDING VOTES

September 15, 2008, Joint Board's Meeting, November 17, 2008

PENDING COMMITTEE APPOINTMENTS

Carl Campagna, Commission on Disability, Council on Aging, Cable Advisory Committee, his application is at VCC for processing. (this is a Town Manager Appointment)

Greg Hutchens, TAC, VCC, A/B CULTURAL COUNCIL, COA, he is going to visit committees he feels he would like to be appointed to, we are waiting to hear from him

Elizabeth J. Payne, Volunteer Coordinating Committee (VCC), her materials have been forwarded to VCC, she has been interviewed.

Iliia A. Kurenkov (Alex), VCC has interviewed him for several boards he is interested in. He will visit the various boards and committees and will let the VCC know of his decision.

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

December 15, 2008

Acton Town Hall, Francis Faulkner Hearing Room

7:00 P.M.

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Terra Friedrichs
Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Clint Seward, 42 Washington Drive, asked that the budget book be made available on line. Steve said he was already looking into this with staff.

OPERATIONAL MINUTE

Steve reported on the storm and the staff's response as well as NStar's cooperation. We have opened up the transfer station for limbs and debris; there will be no charge. We also opened a Shelter at the COA and two people took advantage of this offer. Community Services Coordinator Position is in the finalizing steps.

CHAIRPERSON'S REPORT

Lauren thanked Town staff for the clean up.
Lauren spoke about the Exchange Hall and people's concerns. She noted that all the CPA conditions follow the property and building even if it is sold.

SELECTMEN'S REPORTS

Andy spoke about the Trail Easement at Robbins Brook and is working to finalize an agreement.

Andy participated with Tom Tidman in interview of Pat Kelleher's proposal to perform the Morrison Farm review.

Water Resources Advisory Committee (WRAC) is on hiatus and has spun off the Sewer Advisory Committee. They have had two meeting for the potential of sewers in the Spencer/Flint Road area and West Acton.

Andy noted a public meeting on the 18th to explore forming an Agricultural Board.

Paulina discussed the proposed Greening of Acton committee; they are looking for members and hope to get them in by the end of December with hopes of getting up and running in January.

Paulina noted the progress they are making with regard to the Senior Center's Expansion plans.

Paulina noted the Feb 11th Volunteer Fair to help people explore volunteer opportunities that they might want to volunteer for.

Peter noted he has not made the meetings but has reviewed the minutes of the Sewer Advisory Committee and a potential Flint/Tuttle, West Acton sewer study funding request.

Peter also reported CPC meeting. The Committee has reviewed all proposals and will have Town Counsel review for project eligibility.

Peter noted the meeting regarding saving Exchange Hall.

Terra added to Paulina's note about the Green Advisory Board by saying that Green Acton, the unofficial group of folks interested in greening Acton has been meeting at the Half Moon Hill. The group is open to all. They have a long list of ideas and are forming groups to work on the highest priority ideas.

Terra spoke about the EDC's public brainstorming meeting to discuss what the EDC should do this year. There was a large number of people and a large list of ideas of what they should be doing. After the brainstorming meeting, the EDC met to refine the list of items to work on. The EDC will be presenting the list to the larger public group on January 22nd.

Terra indicated that the Wright Holden House has been boarded up and that the Historical Commission will be giving a tour of it tomorrow. She thanked the donors for donating the plywood and construction supplies.

Terra said the Cable Committee appears to have come to agreement with their consultants and is expected to be getting them on contract shortly.

Terra asked about the review by the Open Space Committee of the land clearing bylaw. Andy said the meeting did not get to the issue because of quorum problem.

Design Review Board (DRB) will be coming forward with proposed changes to their Charter, to expand their purview to multi-unit housing.

Lauren reported on League of Women Voters meeting about Town Meeting. They have reported back and the meeting was very well attended. Most comments were well received.

Lauren discussed TAC's working on ideas for a shuttle at the Train Station.

PUBLIC HEARINGS & APPOINTMENTS

Steve presented his budget to the Board. Steve noted his approach to the project was as a team. He and staff worked on it every Tuesday and Thursday. Steve noted the in-house projects, recycling of propane tanks, and the hiring of the HR Director and a Community Services Coordinator. Budget for level services is \$27,546,920.89.

General Fund Capital Requests come to \$743,500.

Non-General Fund Capital, total \$1,125,550.

Steve noted the Budget Drivers as well as the FY10 Municipal Budget.

Lauren thanked staff for the work on the presentation.

Peter was looking at the ALG Spreadsheet; Steve noted that there are other things added into it.

Lauren thanked Steve for a full picture budget and to the staff that helped.

Paulina thanked Steve for taking a creative way to look at the process in his preparations of the budget.

Andy asked about the milestones in the schedule. Steve spoke about Budget Saturday scheduled for January 12th; we may not know what the impact of FY10 State cuts will be at that time.

Dore' spoke about employees working harder and hopes that people won't suggest or make comments about the reductions in town employee's salaries and hoped that no one would do that to the Town's employees.

Charlie Kadelc asked about monies from Avalon Project, Steve noted that they are dedicated for use for public safety.

Bob Evans asked what we would gain by changing the Ambulance funding mechanism.

ALG Discussion

Lauren updated the Board on the impacts upon our budgets. Lauren reviewed the ALG Forecast. They disagreed about tapping in to the Health Insurance monies. There is hesitancy about doing that at this time. The Health Insurance is estimated to go up 10%.

Terra requested the budget to be provided in Excell.

Peter asked several questions about the ALG Plan. Peter asked about budgets going up as well as tax bills increasing. Peter noted we need to have reductions for the next three years.

Terra spoke about the importance of having a plan for where we might want to cut. She wants us to have a way to prioritize services, including figuring out a method to know how much staff time is spent doing certain things, so we can decide if we want/need them to do those things, or do other things. She gave an example that by using such a method, staff at Town Hall might be used at the Library instead.

Terra said that we need to be careful about using our reserves. She wants FinCom to survey other towns about use of Reserve Funds. Steve Noon suggested towns won't know for sure until after they see what state aid will do. He suggested they wait until January. Terra agreed.

Terra wants to see a consistent set of documents over time, including income statements, balance sheets, and standard accounting documents.

A member of the AVG pointed out that Steve's presentation had bottom line totals that included debt and the ALG spreadsheets exclude debt. He requested that the two sets of documents use the same calculation method.

NOT YOUR AVERAGE JOE'S MANAGER CHANGE

Manager Change – Andy spoke about their record of no violations, and thanked them for it. Andy asked about the frequent Manager changes.

Peter asked about parking issues, Not Your Average Joe's does not get any complaints.

Terra asked about opening another store, they said no, not at this time.

ANDREW MAGEE – Moved to approve the Manager Change. TERRA FRIEDRICHS – second. UNANIMOUS VOTE.

88 CHAMPS LLC, SITE PLAN #10/2/08-416, 525 MAIN STREET

The Engineer said that they have been working with the Design Review Board to address their comments. Lauren was concerned about plantings.

Paulina noted that they would make a contribution to the sidewalk fund instead of them building a sidewalk. She urged them to put the sidewalk back in the plan. The Engineer noted that the sidewalks were not shown on that property. Town Planner Roland Bartl felt we need a sidewalk there. Andy urged the petitioner to install the sidewalks rather than contribute to a fund. Andy suggested a row of white pines be planted along the southern property line.

Lauren asked for the full elevation and noted the DRB reviewed this and worked with the applicant.

Peter spoke about the construction conditions, dust control, trash. Roland said that they could put conditions in to the decision to address those issues.

Terra spoke about the dates missing on the comments, and inclusion of the DRB suggestions regarding size of trees. She also wanted sidewalks.

Abutters spoke. Mr. Doncaster went over his list of requests and concerns.

Lauren asked about the placement of the dumpster and could it be placed in a different place. The engineer said it is where it is now and they don't have plans to move it.

Mr. Beck, an abutter and member of Franklin Place Owners Board, talked about traffic from that location already impacting Franklin Place.

PAULINA KNIBBE – Moved to Close the public hearing and take under advisement. ANDREW MAGEE – second. 4-1 Terra Friedrichs Nay, Motion Passes.

HEALTH INSURANCE TRUST

Peter spoke about our Insurance Trust. They anticipate a revised spreadsheet toward the end of December. Peter spoke about the Group Insurance Commission and the possibility of enrolling municipal employees in the State's plan. We would need to negotiate with the collation of unions as a beginning to go into the Group Insurance program.

Steve Noon asked for clarification of an item on the Spreadsheet.

Charlie Kadlec asked Peter about estimate of savings would decrease the retiree's portion of 75 or 80% until they are covered by Medi Care at age 65.

PARKING GARAGE COMMITTEE DRAFT CHARGE

Peter created a Draft Charge to be discussed by the Selectmen.

Terra said that she felt that the committee should have more people "from" the impacted area of town. She said that she got feedback from residents and members of the Historic District Commission specifically asking that more members from South Acton be included. It was decided that the "members at large" could be residents of South Acton. She asked that the HDC be represented on the committee.

Andy asked if we were asking for recommendation or a report.

Charlie Kadlec offered to send a notice out on the AVG e-mail list.

PAULINA KNIBBE - Moved to accept the Draft Charter as modified by Andy Magee and Lauren. ANDREW MAGEE – second. 4-1 Terra Friedrichs Nay, Motion Passes.

TRENCH FEES

Lauren asked about cost to the Town, Steve said they have looked at this. The Bldg. Commissioner over sees this MGL. The Board wanted to raise the first fine to \$250.00. The Board could raise it in the future if required. ANDREW MAGEE – Moved to increase the first time violation fee from \$200.00 to \$250.00. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

ANDREW MAGEE – Moved to close the Annual Town Meeting Warrant at the close of business on December 31, 2008. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

OTHER BUSINESS

None

CONSENT

Andrew Magee - Moved to accept Consent with #24 Held. PAULINA KNIBBE – second.

Class I and II Car Dealer Licenses.

Acton Suzuki – needs work Hold the License. ANDREW MAGEE – Moved to approve license 2, Acton Ford, TERRA FRIEDRICHS – second.

License #6, Great Road Auto Imports they have issues that still need to be addressed Hold - ANDREW MAGEE – Moved to Hold. TERRA FRIEDRICHS – second.

ANDREW MAGEE – Moved to Hold #9. RRM LTD d/b/a Acton Toyota until signage is removed next to the street. TERRA FRIEDRICHS – second. TERRA FRIEDRICHS – Moved to approve Jazz Café' Licenses. ANDREW MAGEE – second.

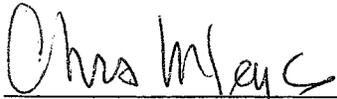
All other Class I and II Licenses without problems or holds are renewed for 2009.

It was suggested that the Board grant a temporary license to January 31, 2009 to complete compliance. Andy noted that the Zoning Officer if needed, needs to assess fines for zoning violations with regard to signs and other zoning issues raised during the licensing review.

ANDREW MAGEE – Moved to Grant extensions to Jan 31, 2009, for Licenses not in compliance to come into Compliance. PAULINA KNIBBE - second, UNANIMOUS

EXECUTIVE SESSION

None Required



Christine Joyce, Recording Secty



Andrew D. Magee, Clerk

Date: 2 Febry 2009

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Hearing Room
December 15, 2008
7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. **7:05 CHAIRMAN'S UPDATE**
The Chair will briefly update the Board on Topics of interest
2. **7:10 OPERATIONAL MINUTE**
The Town Manager will provide a brief report on topics of interest
3. **7:15 SELECTMEN'S REPORTS**
Reports of Board Members
4. **7:30 TOWN MANAGER'S BUDGET PRESENTATION**
ISSUE: The Town Manager will present his Budget
5. **8:30 NOT YOUR AVERAGE JOE'S CHANGE OF LIQUOR MANAGER**
ISSUE: Request for Change in Liquor Manager. Enclosed please find materials in the subject regard, for Board consideration
6. **8:40 88 CHAMPS, LLC, SITE PLAN SPECIAL PERMIT #10/2/08-416, 525 MAIN STREET**
ISSUE: Continued Site Plan hearing from November 17 & December 1, 2008. Enclosed please find materials in the subject regard, for Board consideration

III. SELECTMEN'S BUSINESS

7. **ALG UPDATE**
Enclosed please find materials in the subject regard, for Board consideration
8. **HEALTH INSURANCE TRUST**
No Materials Enclosed
9. **DRAFT CHARGE, SOUTH ACTON PARKING LOT**
Selectman Berry will discuss his Draft Charge with the Board
10. **FEE APPROVAL, TRENCH PERMIT FEES AND FINES**
Enclosed please find materials in the subject regard, for Board consideration

11. OTHER BUSINESS

IV. CONSENT AGENDA

12. ACCEPT GIFT, COUNCIL ON AGING

Enclosed please find a gift of \$3,000.00 (60) \$50.00 gift certificates to Donelan's Supermarket, from the Steinberg-Lalli Foundation to be used by Acton senior citizens through out this holiday season.

13. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of auto detailing in the amount of \$1,000.00 from Wetherbee Plaza to be used to support the 2009 Summer Concert Series at NARA and other special events at the Park.

14. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of two one day Park passes valued at \$83.98, from Six Flags New England, to support the 2009 Summer Concert Series at NARA Park

15. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$1,000.00 from Salerno's Restaurant to be used to support the TJ O'Grady Skate Park Anniversary Event, 2009.

16. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$150.00 from Graham & Harsip, Attorneys at Law, to be used to support the 2009 Summer Concert Series at NARA Park.

17. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$115.00 donated from the Middlesex Chamber of Commerce for NARA Park Special Events.

18. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please accept a gift of \$100.00 from Legends Sporting Goods for support of Summer Concerts at NARA.

19. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please accept a gift of \$100.00 from AAA Southern New England in support of the Summer Concerts at NARA.

20. ACCEPT GIFT, POLICE DEPARTMENT

Enclosed please find a gift of Veterinary Dental Care for the Police canine, from Veterinary Dental Services.

21. COMMITTEE APPOINTMENT, ACTON COMMUNITY HOUSING CORPORATION, MR. BOB VAN METER, TERM, EXPIRE 6/30/2010

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

22. COMMITTEE APPOINTMENT, ACTON BOXBORO CULTURAL COUNCIL, GREGORY HUTCHINS, TO FILL LINDA ZHU'S UNEXPIRED TERM TO 6/30/09

Enclosed please find materials in the subject regard for Board consideration

23. DISPOSAL OF OBSOLETE MATERIALS, ACTON MEMORIAL LIBRARY

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

24. CLASS I & II CAR DEALER LICENSE 2009 RENEWAL

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

V. 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.

JANUARY 12 & 26

FEBRUARY 9 & 23

MINUTES PENDING VOTES

September 15, 2008, Joint Boards Meeting

November 17th, December 1, 2008

PENDING COMMITTEE APPOINTMENTS

Elizabeth J. Payne, Volunteer Coordinating Committee (VCC), her materials have been forwarded to VCC for processing

Iliia A. Kurenkov (Alex), VCC has interviewed him for several boards he is interested in. He will visit the various boards and committees and will let the VCC know of his decision.

Carl Campagna, Commission on Disability, Council on Aging, Cable Advisory Committee, his application is at VCC for processing. (This is a Town Manager Appointment)

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**December 29, 2008
Acton Town Hall, Room 126
5:00 P.M.**

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Terra Friedrichs, Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was not televised.

CITIZENS' CONCERNS

None.

OPERATIONAL MINUTE

None.

CHAIRPERSON'S REPORT

None.

SELECTMEN'S REPORTS

-None

PUBLIC HEARINGS & APPOINTMENTS

CLASS I AND II DEALERS LICENSES

ANDREW MAGEE – Moved to approve the Class I Licenses in compliance as listed in the Motion Document, omitting Acton Suzuki as they have a 30 day license to January 31, 2009 which was voted by the Board of Selectmen on December 15, 2008. PAULINA KNIBBE- second. UNANIMOUS VOTE.

ANDREW MAGEE – Moved to approve Class II for dealers listed on the Motion Document. PAULINA KNIBBE – second. UNANIMOUS VOTE.

Terra Friedrichs Entered the meeting at 5:05

SCHOOL STREET FIELDS

Steve updated the Board on the lease process to get additional acreage at the School Street Fields. The State wanted conditions and mitigation for the agricultural soils. They worked to write a one-year license that would morph into a 10-year lease. There are issues that have not been negotiated at this time and they will be worked out in the lease. Andy noted that this is part of the Article 97 Lands which took three years to get passed. PAULINA KNIBBE – Moved to approve. ANDREW MAGEE – second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

OTHER BUSINESS

Wetherbee Realty, 107 Great Road. The building is not in compliance with site plan and the building tenant is in there without an occupancy permit. Leo Bertolami wants a Temporary Occupancy permit and have Acton Survey prepare a site plan before the 23rd of January. The Board discussed that they could grant a temporary Occupancy Permit to the tenants, the Terrain folks. Steve said we need a solid timeline and assurance that the Site Plan will be filed.

Lauren was comfortable with at Temporary Occupancy Permit and that it has certain fixed timelines to address the issues of building set-back, the outdoor stairs, air conditioner unit, the additional impervious pavement and the road to the light house, among others. Terra is prepared to vote not to approve unless the letter says New Site Plan, not amended site plan. Paulina spoke about the tenant and is inclined try to retain the business.

Scott said this all came up when they asked for the As Built Plans. He noted that the new zoning regulations allow building on the side line a zero setback. Counsel warned that if we introduce a Temporary Occupancy Permit, we may not be able to get them out.

Paulina said if it looks like we can bring into compliance we could vote it. Scott said he thinks that it can be done.

He is violation and we need to issue him fine for being in violation. Andy asked about the zoning change.

Andy suggested an extended notice to evict be sent to notify the tenant that we are aware you are in the building without an Occupancy Permit, but that also signaled that we hoped to resolve the issue prior to the tenant having to leave. To that end, you have sixty days to make arrangements. Andy suggested we should not have to re-design to accommodate Mr. Bertolami's mistakes.

Lauren wanted to know how to proceed and should there be a large fine assessed until he is in compliance. Lauren asked that we phrase it as an eviction or extension of Occupancy Permit. Terra asked about a violation fee for the Occupancy Permit. Extension of the Eviction is a solution for this day. We don't want to be pinned down by Bertolami. Paulina said we need to address these problems separately. She said we could be accommodating to the tenant but we want to set up a system that has a consequence for anyone who violates.

Paulina wanted to be sure if he builds again that we monitor him.

Extending the tenant eviction and saying that we are sorry, now it is up to your landlord to fix this. Andy suggested that we tell the tenant we will try to resolve this. We need to put the timeframe out long enough that this process can come into compliance.

The Board had many questions at this meeting, and asked that Mr. Bertolami be invited to the January 12 meeting at 8:55, to have him talk about his situation.

We will want an independent review of the site plan a peer review. Andy wants this peer review and to have the applicant pay a reasonable fee for independent review of a plan. Andy suggested we do this.

It was felt that we require a new site plan for the site on Great Road.

ANDREW MAGEE – Moved to extend the eviction notice to Terrene Sustainable to March 31, 2009. TERRA FRIEDRICHS – second. UNANIMOUS VOTE.

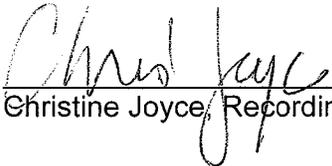
Ask Leo in to discuss his schedule of compliance and a discussion. The Board asked Scott Mutuch to look into zoning-related fines that will be assessed and discussed on the 12th of January.

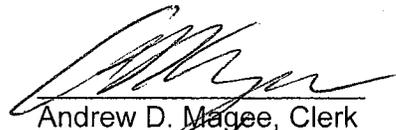
Lauren suggested that we need to send two letters, one each to be issued to tenant and Bertolami, the later to discuss the fines for coming into compliance. The Town Manager will draft them.

CONSENT

EXECUTIVE SESSION

ANDREW MAGEE – Moved that the Board enter into Executive Session to discuss Middlesex Retirement case. Roll Call taken, All Ayes. The Board will adjourn into Regular Session only to adjourn.


Christine Joyce, Recording Secty


Andrew D. Magee, Clerk
Date: 2 February 2009

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Room 126
December 29, 2008
5:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 5:00 CLASS I & II CAR DEALER LICENSE RENEWALS

ISSUE: Renewal of Dealer Licenses for 2009

2. 5:10 SCHOOL STREET FIELDS

ISSUE: The Town Manager will detail the request for action regarding the fields

III. SELECTMEN'S BUSINESS

3. OTHER BUSINESS

IV. CONSENT AGENDA

None Needed

V. EXECUTIVE SESSION

There will be a need for Executive Discussion to discuss Middlesex Retirement issue

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.

DECEMBER 1 & 15 JANUARY 12 & 26

MINUTES PENDING VOTES

September 15, 2008, Joint Boards Meeting

November 17, December 1 and 15, 2008

PENDING COMMITTEE APPOINTMENTS

Elizabeth J. Payne, Volunteer Coordinating Committee (VCC), her materials have been forwarded to VCC for processing

Iliia (Alex) Kurenkov, VCC has interviewed him for several boards.

Carl Campagna, Commission on Disability, COA, and Cable. His application has been reviewed and the Town Manager will appoint him shortly

Joseph Ianelli, EDC, his application has been forwarded to VCC for processing

Richard Calandrella, EDC, his application has been forwarded to VCC for processing

Christine Joyce

To: Claire Hamilton
Subject: RE: 2008 report

Not what we want, I will email a sample to you.

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

From: Claire Hamilton [mailto:Chamil3795@lrta.com]
Sent: Tuesday, February 03, 2009 8:41 AM
To: Christine Joyce
Subject: 2008 report

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**January 12, 2009
Acton Town Hall, Francis Faulkner Hearing Room
7:00 P.M.**

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Terra Friedrichs
Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

John Covert of Flagg Road – reported on the Cable Television issues regarding the studio location. There is a need to form an Access Corporation and they will need to form a 501C3 Charity. That Corporation will need to have a President, Clerk and Treasurer to put names on the Form. Neither the Board of Selectmen nor Cable Advisory Committee people can fill those spots. Peter asked about the formation and trustees for this Charity. We could put an ad in the newspaper to find different types of people to be on this Corporation. Lauren noted that John Covert was going to go on a trip to look at other studios in Wilmington, Stoneham and Wakefield if members of the Board would like to participate.

CHAIRPERSON'S REPORT

Lauren reported on the **MAPC MAGIC** meeting and the topic was the Green Communities Act and one of the few programs by the State that might see funding this year. Grants will be availability of communities to expand green alternatives. Lauren will provide materials to the Web Master.

Lauren said that articles need to be submitted and reviewed.

OPERATIONAL MINUTE

Steve reported that the Community Social Worker has begin work and is already working with those who are in need. Annual Town Meeting appropriated monies for Street lights and NSTAR will be giving us a large rebate.

Peter spoke about the sidewalks and wanted to know how long it takes after a snow storm to clean up. Steve said both sidewalk plows went down and they are using small bob cats until the equipment can be repaired or replaced.

SELECTMEN'S REPORTS

Andy Magee wanted to let the Town know that he will not be running for re-election this year.

Paulina said the No Place for Hate has a breakfast on MLK day. Senior Center Expansion committee is coming the end of the review process. They will be giving a presentation on Jan 21st and Jan 22nd in the Faulkner Room. They have developed the three options to bring to the residents.

Terra and she have been looking for folks for the Green Advisory Board and the need to set up a review meeting to review and interview volunteers. Paulina noted Andy and Terra will serve as the Selectmen liaisons for the purpose of conducting the interviews, and that there should be one School representative, as well.

Lauren said that search for the Supt. of Schools is moving forward.

Peter reported on CPC actions. Glenn Berger came to them to report on the status of the Exchange Hall.

Peter noted that he is looking for volunteers for the Parking Lot Committee.

Terra spoke about dog fine article and that it is being drafted. The Comprehensive Community Plan will be looking at phase II and how much we can do in house. Terra also noted the Draft form of the DRB that is being looked at is just a draft.

Farmer's Market article was discussed and the request of the owners of Butter Brook Farms for a hydrant on upper Main Street.

Terra asked about her meeting with Senior Tax Fund Committee.

PUBLIC HEARINGS & APPOINTMENTS

TOWN MODERATOR DISCUSSION OF LEAGUE OF WOMEN VOTERS TOWN MEETING REVIEW

Don Mackenzie wanted to review what he intends to change and items he will be supporting that have been brought up by the people making the other suggestions.

Don noted that we will be trying things out at the next Town Meeting to see if they work before we make permanent changes.

Don went over the issues he is intending to change at the ATM.

Lauren asked about debate time limits and asked if the time for Boards and Committee members was proposed. He felt he would not limit their time. Lauren asked about the motions on the screen and handouts.

Paulina thanked him for coming in as well as the LWV's for their suggestions and observations. She asked about the time limits for questions and a clock being displayed to monitor the time of the pro/con to 2 minutes.

Paulina supported the rearrangement of the Articles.

Peter supported the changes and hoped that this will get more people at Town Meeting. He also spoke about Representative Town Meeting. Don felt it would work in a larger community, but not in Acton.

COMMON VICTUALLER – TERIYAKI STATION, 124 MAIN STREET

ANDREW MAGEE – Moved to approve the Common Victualler License for Teriyaki Station.
TERRA FRIEDRICHS – second. UNANIMOUS

ECONOMIC DEVELOPMENT COMMITTEE BRIEFING TO UPDATE THE BOARD

Doug Tindal and Nick Francis representatives of the committee. They have taken steps to redefine the Committee. Doug outlined the public meeting they held a few months ago. They want to take all the ideas from that meeting and distill them and form the people into teams. Doug went over the Mission handout and spoke to different items on the handout. Doug noted that these issues are not expected to be resolved immediately. They want to be proactive. Doug thanked Planning for their help on this project.

Lauren noted the new energy and people coming forward to serve the Town.

Terra asked about membership and needs for new members.

TRANSPORTATION ADVISORY COMMITTEE UPDATE ON SHUTTLE AND TRANSPORTATION NEEDS IN ACTON

Jim Yarin spoke about the process they have taken in order to address transportation issues. Jim noted that people in town want alternative transportation. The survey had many responses from residents. They want to consolidate the Road Runner and COA Van. Currently, they operate during the hours of 8-4 and are operated separately by two different dispatching units. Jim spoke about the use of the van to pick up people at a satellite lot and transport them to and from the train station.

Andy asked about the amount of the Grants. Jim said that they want to make sure additional funds could be directed to the Shuttle.

Lauren noted that we need to replace the current meters that are very old. That would be done with Capital Improvement monies, and the meter replacements will have a payback of a year or two.

Paulina asked if Suburban Mobility funds could be used to float the meter replacement.

Terra encouraged a term of pilot program before commitment.

Peter asked about meters age and process to raise the parking fees.

LEO BERTOLAMI, 107 GREAT ROAD, TIMELINE OF SUBMITTAL AND FILING OF A NEW SITE PLAN

Lauren noted the process of how he will proceed to solve the current situation. Mr. Bertolami noted the change to zero set back within that locus. Mr. Bertolami will be filing the new site plan on January 23, 2009. The changes require a new site plan and offered a progress plan. Staff was asked if they had seen the plan. Scott said no, but had seen a previous plan last week with his engineer.

Lauren noted that if it is not resolved, it will have consequences. Steve was asked about the December 24th letter from Zoning Officer to the Board about the site plan to be turned in on the 23rd of January and the Town Manager recommends if a site plan is not submitted that the fines of \$300 per day commence on the 24th of January.

Terra asked about fines. Terra asked if staff had anything to add to that. Roland will be commenting when they get the final plan. There are outstanding zoning compliance issues with parking and insufficient turning lines and bulk heads crossing the property line.

TERRA FRIEDRICHS - Moved that if the New Site Plan is not received on the 23rd when the new site plan is due that fines will be assessed at \$300.00 per day. ANDREW MAGEE – second. UNANIMOUS VOTE.

Andy asked about the bathrooms and the fine. Leo said that he has made them Employees Only. He will be making the Handicapped changes once the economy recovers.

Paulina asked about staff only; she does not think it relieves you of handicapped accessibility issue. If you provide bathrooms they have to be handicapped accessible.

CAROL HOLLY, STATE'S PROPOSAL OF LIFTING THE BAN ON LARGE INCINERATORS

Carol outlined the proposal and ACES feel that it is appropriate for the Board to authorize the letter to Mr. Fisher at Waste Impact Office.

Paulina thanked Carol for bringing this to the Board. Mary Michelman noted that the State is having Listening Meetings and DEP is looking for feedback on solid waste.

TERRA FRIEDRICHS – Moved to send the letter and reference the September 18th letter to give support to that group. Town of Acton has also reviewed the September 18th and raises the same situations attached. ANDREW MAGEE – second. UNANIMOUS VOTE

ALG DISCUSSION

Paulina spoke about the ALG Group. The budgets are not looking good. We are expecting FY09 revenue reductions. She noted the State FY10 budget will be delayed until the last weekend in January. ALG has put together the current plans and the numbers are tentative. The Town and School have come back with level services budgets.

It was asked how long the recession will last as that affects our budgeting and use of our reserves.

Terra felt that we should cut as deeply as we could now, and get to a "bare bones" service level. She said that we should ask each department what specific things they do, so we can sort out what services are higher priority than others. She felt we should preserve the funds so that we can use them in case we have a "real emergency". She pointed out that if there is a real depression that we could see an exodus from this region.

Steve felt we are small and we are not providing extraneous services. He will be working on tiers of \$250,000 \$300,000; we look at the tiers to see where we can cut. Terra asked if she could ask the Community Coordinator what can we do for our low end residents.

Paulina asked Peter about how long it will last. He felt 2011 and noted that we have not recovered from 2002 cuts.

Lauren said she feels it is a 3 year process

Andy said the optimists are looking at housing to turn around at the end of this year and that the US will be the leader in this recovery. Nonetheless, State aid will lag behind that.

Paulina spoke about the health insurance trust and revenues matching the use. There is some since that we draw down on those funds. Peter said we need to set the fees to protect the trust that would guide him on how the revenues are to be used.

Budget Saturday has been moved to February 7, 2009.

The warrant articles need to be substantially done by March 6 so that we can send out to the residents.

ANNUAL TOWN MEETING WARRANT

Lauren noted the place holders and wanted to make sure they are moving forward to getting on the Warrant.

ActonVoters Group – Petition articles as written

Agricultural – Feb 9, 2009, to bring before the BOS

Housekeeping Planning

HDC/HC Demolition Delay Bylaw Change to town bylaw

Demo Delay six months to 18 months

Archeological Doug Halley will represent

Clarification P Historic Charter – In HD corner lots view from two views

Side walk committee list of prioritized projects and get easements ready. High Street will not be ready this year.

Dog Violation in Cemeteries

Land Clearing Bylaw – Andy says Open Space Committee has not had a chance to review it thoroughly. They felt they should wait once they get to it. Then they will send to planning and they will want to review it.

Wetherbee mitigation on School Street lease. Andy said we will put it in as a special act.

School - Boiler plate

Suburban Mobility Grant – need to look into

Senior Center – finishing up and will put on depending upon Board's action

Board Walk – CPC transfer the use of the land from school to recreation and therefore make it eligible for CPC Funds

Commission on Disability
Boiler Plate Articles

INVITATION TO JOIN BOSTON REGIONAL TRANSPORTATION AND ADVISORY COUNCIL

Lauren volunteered to serve and if it becomes too much she will ask for another volunteer

JEN BENSON

Paulina said she will volunteer for this.

SEWER ACTION COMMITTEE ON LOW PRESSURE SEWERS IN THE SPENCER/TUTTLE/FLINT SEWR AREA

Peter noted that he has not been attending the WRAC meetings. Steve said that Bruce Stamski has offered to work on this in down time this winter which would save a million and a half. Andy said if we can do it in house that may slow down their goal of getting on the town meeting this spring.

Mr. Beck spoke about the savings and then there was a request for \$29,000 for doing it in house. He is concerned that we don't have disappointment later and find it is not in line with the rest of the plan. He asked for a scope of services before the work is done.

Terra wanted staff to figure out how many people needed off site disposal. She noted we are looking at 10 year old data, and we need to agree on what constitutes "need" and then see who needs sewers the most, before any design occurs.

Andy said clarified that he said to the committee is to study sewers and is there a better way. Andy noted that he thinks it would be appropriate to have the sewer committee to come before the Board to hear from the Sewer committee. Andy noted that there could be some State Aid because of the location.

Paulina said the task was to find a way forward. She needs more data and need is to be identified.

Lauren said that this area of town that needs sewers and cannot have long term septic systems.

SELECTMEN'S BUSINESS

None

OTHER BUSINESS

None

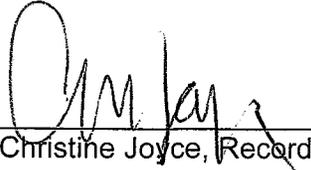
CONSENT

PAULINA KNIBBE - Moved to accept Consent Items. ANDREW MAGEE – second. Unanimous

Andy had a friendly amendment that the minutes approved are November 17, December 1, 15 & 29.

EXECUTIVE SESSION

None Required



Christine Joyce, Recording Secty



Andrew D. Magee, Clerk

Date: 26 Jan 2009

11:00
miscellaneous Folder

BOARD OF SELECTMEN & SEWER COMMISSIONERS'

MEETING AGENDA

Francis Faulkner Hearing Room

January 12, 2009

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 CHAIRMAN'S UPDATE

The Chair will briefly update the Board on Topics of interest

2. 7:10 OPERATIONAL MINUTE

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

3. 7:15 SELECTMEN'S REPORTS

4. 7:35 TOWN MODERATOR DON MACKENZIE WILL DISCUSS THE LEAGUE OF WOMEN VOTERS TOWN MEETING REVIEW

ISSUE: Review and discussion of the LWV's comments and recommendations

5. 8:05 COMMON VICTUALLER LICENSE, TERIYAKI STATION, 124 MAIN STREET

ISSUE: Common Victualler License request

6. 8:20 ECONOMIC DEVELOPMENT COMMITTEE BRIEFING TO UPDATE THE BOARD

ISSUE: Briefing in the subject regard

7. 8:30 TRANSPORTATION ADVISORY COMMITTEE UPDATE ON SHUTTLE AND TRANSPORTATION NEEDS IN ACTON, BETH WHITTAKER AND FRANNY OSMAN TO PRESENT

ISSUE: Presentation in the subject regard

8. 8:55 LEO BERTOLAMI, 107-115 GREAT ROAD, TIMELINE OF SUBMITTAL AND FILING A NEW SITE PLAN

ISSUE: Request for Timeline and Site Plan submittal

9. 9:20 CAROL HOLLEY, STATE'S PROPOSAL OF LIFTING THE BAN ON LARGE INCINERATORS

ISSUE: Ms. Holley would like to speak about the subject proposal

III. SELECTMEN'S BUSINESS

10. ALG AND BUDGET DISCUSSION

The Chairperson will report of the ALG Meeting and Budget Process

11. ANNUAL TOWN MEETING WARRANT

Enclosed please find a very draft list of Place Holders for the Warrant

**12. INVITATION TO JOIN BOSTON REGION MPO REGIONAL
TRANSPORTATION ADVISORY COUNCIL**

Enclosed please find a request in the subject regard

**13. REPRESENTATIVE ELECT, JEN BENSON, REQUEST TO APPOINT A
REPRESENTATIVE FROM THE BOARD TO SERVE ON A COMMITTEE
TO MAINTAIN CLOSE CONTACT WITH THE REPRESENTATIVE**

Enclosed please find a request in the subject regard.

**14. SEWER ACTION COMMITTEE RECOMMENDATION ON LOW
PRESSURE SEWERS IN THE SPENCER/TUTTLE/FLINT SEWER AREA**

Enclosed please find a request in the subject regard

15. OTHER BUSINESS

IV. CONSENT AGENDA

16. ACCEPT MINUTES, BOARD OF SELECTMEN

No Minutes for approval at this time

**17. ROBBINS BROOK RETIREMENT, PHASE III EXTENSION (REQUEST
FOR EASEMENT FOR THE BAY CIRCUIT TRAIL) CONTINUANCE
FROM 12/1/08**

Enclosed please find materials in the subject regard

**18. FAULKNER MILL LIP LOCAL ACTION UNIT, APPROVAL OF
REGULATORY AGREEMENT**

AHC is asking for Board approval of the Regulatory Agreement and will have documents for signature at the meeting

**19. FEE WAIVER REQUEST, AMERICAN CANCER SOCIETY'S RELAY FOR
LIFE EVENT PLEASE NOTE, NO OUT OF POCKET EXPENSES ARE
INCLUDED IN THE FEE WAIVER REQUEST**

Enclosed please find materials in the subject regard

20. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$1,000.00 from the Middlesex Savings Bank to be used to support the Summer of Love Concert as part of the 2009 concert Series

21. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift valued at \$3,000.00 from Dunkin Donuts (Big Fish Promotions) to be used at the 2009 Winter Carnival

22. ACCEPT GIFT, RECREATION

Enclosed please find a gift of \$50.00 from Benjarong Restaurant to be used for the Acton Teen Repertory Theatre

23. ACCEPT GIFT, RECREATION

Enclosed please find a gift of \$100.00 from Nashoba Family Dentists, to be used for the Acton Teen Repertory Theatre

24. ACCEPT GIFT, RECREATION

Enclosed please find a gift of \$50.00 from James Tabner, to be used for the Acton Teen Repertory Theatre

25. ACCEPT GIFT, RECREATION

Enclosed please find a gift of \$100.00 from Adesa Concord, to be used for the 2009 Summer Concert Series

26. ACCEPT GIFT, RECREATION

Enclosed please find a gift of \$12,000.00 from Marvin Gould and Jack Donelan, to fund the July 4, 2009 Fire Works at NARA Park

27. ACCEPT GIFT, RECREATION

Enclosed please find donations totaling \$110.00 from residents to be used to support the Elm Street Playground

28. ACCEPT GIFT, CONSERVATION

Enclosed please find a gift of \$275.00 in memory of David P. Tinker to be used to make improvements at the Great Hill Conservation and Recreation Area as requested by his family

29. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$131.53 from Dr. Matusow's Estate, to be deposited into the Citizen's Library Gift Account, to be used by the Library Director and Trustees see fit.

30. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$721.60 from the Friends of the Acton Libraries, to be deposited in the Citizens' Library Gift Account, to be used by the Library Director and Trustees see fit

31. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of \$2,000.00 from the Friends of the Acton Libraries to be used by the Director and Trustees as they see fit

32. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

Enclosed please find obsolete materials to be disposed of by the Acton Memorial Library

V. 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.

January 26

March 9 & 23

February 7, 2009 Budget Saturday

February 9 & 23

April 6, Town Meeting Begins

MINUTES PENDING VOTES

September 15, 2008, Joint Boards Meeting, November 17 and December 1 & 15

PENDING COMMITTEE APPOINTMENTS

Elizabeth J. Payne, Volunteer Coordinating Committee (VCC), her materials have been forwarded to VCC for processing

Ilia A. Kurenkov (Alex), VCC has interviewed him for several boards he is interested in. He will visit the various boards and committees and will let the VCC know of his decision.

Carl Campagna, Commission on Disability, Council on Aging, Cable Advisory Committee, his application is at VCC for processing. (This is a Town Manager Appointment)

Joseph Ianelli, EDC, his application has been forwarded to VCC for processing

Richard Calandrella, EDC, his application has been forwarded to VCC for processing

Leigh Davis Honn, EDC, her application has been forwarded to VCC for processing

Michael Paratore, Planning Board, his application has been forwarded to VCC for processing