

Final

**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**  
**May 24, 2010**  
**Acton Town Hall**  
**Francis Faulkner Hearing Room**  
**7:00 P.M.**

Present: Lauren S. Rosenzweig, Michael J. Gowing, Terra Friedrichs (absent), Janet K. Adachi, Pamela Harting-Barrat, Town Manager Ledoux, Recording Secretary; Christine Joyce.  
The Meeting was televised

**CITIZENS' CONCERNS**

None

**CHAIRPERSON'S UPDATE**

Ms. Rosenzweig updated the Board on reappointments to Boards and Committees

Ms. Rosenzweig spoke about the Open Neighborhood presentation tomorrow evening.

**OPERATIONAL MINUTE**

Mr. Ledoux discussed the 275<sup>th</sup> Celebration of the Town and outlined the days activities

No report about the sign enforcement Board.

Mr. Ledoux spoke about upcoming Memorial Day activities

**PUBLIC HEARINGS & APPOINTMENTS**

Special Town Meeting Warrant

Mr. Ledoux outlined the articles for the Special Town Meeting

Mr. Ledoux gave a power point presentation with regard to the Fire Contract settlement. Currently there is no Memorandum of Agreement with this unit.

Ms. Rosenzweig thanked the Manager, the negotiation team and the Fire Union

Ms. Harting-Barrat – Moved to Recommended Article 1. Mr. Gowing – second. UNANIMOUS VOTE

Ms. Harting –Barrat – Moved to Approve Article 2. Mr. Gowing- second. UNANIMOUS VOTE

Mr. Gowing – Moved to Defer Recommendation for Article 3 & 4 at this time. Ms. Harting – Barrat – second. UNANIMOUS VOTE

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## **MORRISON FARM PRESENTATION**

Mr. Gowing outlined the way that the meeting would be conducted. The Consultant Edwin Sargent of Stephen Keller Architects introduced the team that worked on the Project. They presented a slide show to the Board. They prepared three schemes for the re-use of the property.

The consultant noted the condition of the property at this time. They recommended a new heating system and other items that required attention. The structural Engineer said that the cost to repair would be more than to build a new building. Potential uses for the house would call for first floor office for recreation Department. The building would need to be upgraded to meet current code. The Barn is a stick built with some post and beams. The building has been retrofitted with steel restraints to keep the structure in place and has marginal use for storage.

Bruce Ringwall of Goldsmith, Prest and Ringwall discussed the site conditions. They looked at the positives on the site. The site is bordered by mature plantings and trench work that was used when it was farmed and it establishes a wet land buffer. Access is limited along the front. The various uses of the property were reviewed. They used a soccer field for size and chose dimensions that would allow the fields to be built to regulation. Mr. Ringwall spoke about parking and entrances to the site.

A cost budget was presented in the Power Point. Phase I budget is 1 million and Phase II 300,000 per sq foot, with a cost of 1-2 Million.

The consultant for Financial /Cultural Aspects spoke about costs. He felt that it could be self supporting over time.

Board Participation and comments. Ms. Rosenzweig thanked them for the presentation and felt it was helpful. She noted that when it first came before the Town, there were many stakeholders involved, such as Historic, Recreation Dept., 'Sports Leagues, and Conservation representing many interests.

The Consultant spoke about the cost of the bridge. Ms. Harting-Barrat noted the economy as it is today and felt that we could pull together as a community. She wanted the beauty of the site to remain. She felt that through fees and such we could do wonders on this property, but noted she was concerned with the cost.

Ms. Adachi noted that this has been hanging out there for a long time and there were a lot of opinions expresses and we are trying to make something work. She likes the reuse as presented. Ms. Adachi asked Tom Tidman about wetlands on site. The wetlands are dense and have a great value.

Tom Michelman spoke about the access to this site, and the widths of the trails. He asked if they were wide enough to accommodate bikes. The farm is in close proximity to the proposed Bruce Freeman Rail Trail.

Newtown Road resident asked how are we going to come up with the funds for this and how access to the shops could be made for people to go off trail for lunch and spend money.

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Debra Simes – asked about how she can get the report and how the public could get access to this report. It was noted that it will be on the web site.

Walter Foster, 3 Jesse Drive – spoke about the presentation of open space, agricultural and recreation uses. He endorsed the plan and how we would/could afford this largely through CPC funds. He really liked the connectivity in the final design.

Take this plan accept it and start work on building trails. He noted that these activities would be eligible for CPC funds in the Fall. The organic farming and the house and barn would qualify for CPC.

Mary Michelman spoke and asked that there be no chemicals on this site to make sure we are not fertilizing the pond.

Resident 8 Thoreau Road asked about the three soccer fields. He commented that this plan is not preserving the lower meadow. He feels it is unique and asked them to think carefully about this.

Maya Spies –commented that the existing side walk connects to the property. She asked Mr. Ringwall if the team had been on site and what time of year had they been in the lower meadows during all the seasons. Mr. Ringwall noted all seasons as he is a resident of Acton who currently uses the property with his family. She spoke about the wild flowers in the lower meadow.

Anne Forbes asked about when this appointment was made for tonight. Mr. Gowing said a month or so. She did not want the barn and farmstead destroyed.

Mr. Gowing thanked them and we might have them back at a later date.

Ms. Rosenzweig asked what we do now, it was felt we read the report given them tonight.

Ms. Adachi said we need to keep in mind the proposals need to be pulled together for submittal to CPC in the fall so we can't wait too long.

## **SELECTMEN'S BUSINESS**

### **107-115 GREAT ROAD, WETHERBEE PLAZA II DISCUSSION**

Mr. Ledoux was asked to explain the May 31<sup>st</sup> deadline. Steve spoke about the outstanding "as built" issues. He met with staff about this and there are several critical items. The drainage on the "as built" plans are not correct and we need to recommend that Mr. Bertolami hire an engineer to perform a peer review. It was requested that a bond be obtained to ensure that the drainage is installed correctly. The Board recommended that the occupancy be extended to October 1st for current tenant Terrene, and the new tenant. The Town will want to see the contract for the peer review.

Ms. Harting-Barrat - Moved that the Applicant meet with staff and to obtain a peer review contract and to have sufficient bond amount as well as a deadline of October 1, 2010 for completion and Temporary Occupancy for the two tenants. Mr. Gowing – second.

UNANIMOUS VOTE

Final

Ms. Rosenzweig was in favor of the motion. Mr. Gowing asked about peer reviews and the cost of these reviews. Roland suggested that the town choose the firm for the peer review process.  
**99 PARKER STREET, FRIENDLY LIP PROJECT, LETTER TO ZBA**

Ms. Rosenzweig spoke about the draft letter to ZBA. Ms. Harting-Barrat - Moved to approve the draft letter with corrections. Mr. Gowing – second. UNANAMOUS VOTE.

### **SEWER PRIVILEGE FEE, RIVER STREET, LOTHROP MILL, LLC.**

The Board noted that they will be acting as Sewer Commissioners for this portion of the meeting.

Doug Halley has the payment triggered upon Building Permits being issued. 7 new sewerage betterments fee of 3.61 betterment of \$12,311.52.

Ms. Adachi - Moved to approve the betterment fee conditioned upon all permits being obtained. Ms. Harting-Barrat – second. UNANIMOUS VOTE  
It was noted that if less capacity was needed the applicant would be charged a lower fee.

### **ANNUAL GOAL SETTING WORKSHOP RESULTS**

The results were discussed. Mr. Callendrella spoke about the Comprehensive Community Planning group and the use of the Planner's Collaborative as the planner for Phase II. He noted that they were not very good in Phase I. Mr. Ledoux noted that they have not closed the deal and the newly formed group will be reviewing the submittals.

Ms. Harting-Barrat – Moved to ratify the Goals. Mr. Gowing – second. UNANIMOUS VOTE

### **TRADITIONS BOOKLET DISCUSSION**

Ms. Rosenzweig spoke about the booklet and what it contained. She raised the issue of how far back to go in distributing the document to former BOS members. Ms. Harting-Barrat expressed that after a certain number of years back the town and its traditions were different due to the size of the town and the structure of town government. Ms. Adachi felt it was a courtesy to send to BOS members that have served longer than 20 years ago. She offered to help with the comments from the former Selectmen. Ms. Adachi will report at the August meeting.

### **SELECTMEN'S REPORTS**

Mike Gowing reported on the COD appeal to the handicapped access ramp denial. The Acton Building Inspector did not approve the ramp and the person went directly to the Architectural Access Board which overruled the decision. They plan to go before the AAB in Boston shortly

Ms. Adachi went to Land Steward Committee and noted they are planning on having a celebration next month.

Ms. Adachi also met with the Green Advisory Board and discussed the Grants they will be applying for.

Ms. Harting-Barrat gave an overview of her attendance at the BOH and Nursing Service. Sidewalk Committee and noted that people are excited about the priority list and connectivity.

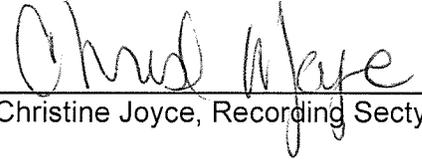
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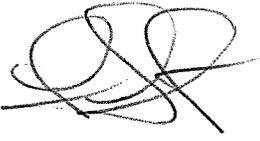
**OTHER BUSINESS**

**CONSENT**

Mr. Gowing – Moved to accept the consent items. Ms. Harting-Barrat – second. UNANIMOUS VOTE.

**EXECUTIVE SESSION**

  
\_\_\_\_\_  
Christine Joyce, Recording Secty

  
\_\_\_\_\_  
Clerk  
Date: 6-21-10

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

*Francis Faulkner Hearing Room*  
*May 24, 2010*  
*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 SPECIAL TOWN MEETING WARRANT**  
Board will sign the materials in the subject regard as well as vote positions on the articles.
4. **7:40 MORRISON FARM PRESENTATION**  
Enclosed please find materials in the subject regard

**III. SELECTMEN'S BUSINESS**

5. **SELECTMEN'S REPORTS**
6. **107-115 GREAT ROAD WETHERBEE PLAZA II DISCUSSION**  
Enclosed please find materials in the subject regard
7. **99 PARKER STREET, FRIENDLY LIP PROJECT COMMENT LETTER TO ZONING BOARD OF APPEALS**  
Enclosed please find materials in the subject regard
8. **SEWER PRIVILEGE FEE LOTHROP MILL, LLC, 69, 71, 73, 75, 77, 81 RIVER STREET**  
Enclosed please find materials in the subject regard
9. **ANNUAL GOAL SETTING WORKSHOP, RATIFICATION OF RESULTS**  
Enclosed please find materials in the subject regard
10. **TRADITIONS BOOKLET DISCUSSION**

## 11. OTHER BUSINESS

### IV. CONSENT AGENDA

**12. ACCEPT MINUTES, BOARD OF SELECTMEN, MARCH 29, 2010**

Enclosed please find materials in the subject regard

**13. TWO, ONE-DAY LIQUOR LICENSES, NARA PARK, LIONS CLUB FAIR  
JUNE 25 AND 26**

Enclosed please find materials in the subject regard

**14. LIONS CLUB ANNUAL TOWN FAIR PERMIT, JUNE 25-26<sup>TH</sup>, NARA  
PARK**

Enclosed please find materials in the subject regard

**15. COMMITTEE APPOINTMENT, DEAN CAVARETTA, TRANSPORTATION  
ADVISORY COMMITTEE**

Enclosed please find materials in the subject regard

**16. NURSING SERVICE IDENTITY THEFT POLICY**

Enclosed please find materials in the subject regard

**17. APPOINTMENT OF JAMES OKUN AS A SPECIAL MUNICIPAL  
EMPLOYEE**

Enclosed please find materials relative to Mr. Okun's working on the Acton/Grace project

**18. ONE-DAY LIQUOR LICENSE, NARA PARK, FAMILY REUNION**

Enclosed please find materials in the subject regard

**19. ACCEPT GIFT, POLICE DEPARTMENT**

Enclosed please a gift of a K-9 Police Dog vest from Vested Interest In K-9's, valued at \$725.00 to be used for Acton's K-9 Miso

**20. DISPOSAL OF OBSOLETE MATERIALS, COUNCIL ON AGING**

Enclosed please find a request in the subject regard

**21. DISPOSAL OF OBSOLETE MATERIALS, WEST ACTON LIBRARY**

Enclosed please find materials in the subject regard

**22. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard

### 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.

### **JUNE 7**

Betsy Ball Scholarship Awards  
Mr. Bertolami, 50-60 Powder Mill Road  
New London Pizza Transfer Liquor License  
Committee Reappointments  
McCarthy Village II

### **JUNE 21**

TD Bank Site Plan, 408 Mass Ave  
Non-BOS "Reps" for Regional Mtgs.

## **MINUTES PENDING VOTES**

April 26, 2010, May 10 and 19, 2010

## **PENDING COMMITTEE APPOINTMENTS**

Ronald Beck - Conservation Commission – VCC recommends he serve on the Conservation Commission

Ahmed Hilmy - Design Review Board, Finance Committee, EDC –Application sent to VCC and Town Moderator

Daniel Factor - has been interviewed by VCC and recommends he serve on the COD (MG to interview)

Michael A. Luongo - Board of Appeals, Board of Health, Application sent to VCC

Fenglan Zhang - Board of Health, (Minuteman Voc and South Acton Revitalization Committee) note that we currently have a Minuteman Rep. and the South Acton Revitalization committee is no longer a committee, application sent to VCC

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**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**  
**April 26, 2010**  
**Acton Town Hall**  
**Francis Faulkner Hearing Room**  
**7:00 P.M.**

Present: Lauren Rosenzweig, Terra Friedrichs, Mike Gowing, Janet Adachi, Pamela Harting-Barrat, Town Manager Ledoux, Recording Secretary; Christine Joyce. The Meeting was televised

**CITIZENS' CONCERNS**

Peter Ashton on behalf of Senior Taxation Committee described what the committee does and they have four applicants for the fund this year and we generally have at least 10-15 applicants. They have reached out to people at home and to the seniors and disabled residents that may need relief from taxes to come forward and apply. It is a confidential process.

**REORGANIZATION OF THE BOARD**

Steve Ledoux outlined the process to be used tonight. He will open the floor up for nominations for Board positions. Mr. Gowing thinks we need the experience of a person that has been Chairman before. Ms. Friedrich asked about turns. Ms. Harting-Barrat gave an outline of how officers were chosen each year when she was on the Board of Selectmen, and it was not about taking turns, it was more a progression. Ms. Friedrichs felt that it was her turn and Lauren was running for this position. Mr. Gowing – Moved to nominate Ms. Rosenzweig as Chairman. 4-1 Ms. Friedrichs Abstained. Motion passes

Ms. Adachi – Moved to nominate Mr. Gowing as Vice-Chairman. Ms. Harting-Barrat – second. 4-1, Ms. Friedrichs Abstaining – Motion passes

Ms. Harting-Barrat – Moved to nominate Ms. Friedrichs as Clerk, 4-1 Ms. Friedrichs Abstained. – 4-1 Motion passes. Ms. Friedrichs noted she wanted to think about whether or not she wanted to serve as Clerk.

**CHAIRPERSON'S UPDATE**

Ms. Rosenzweig wanted to call attention to the successful Patriots Day Celebration and noted the Historical Society and Iron Work Farm tours of our historic homes. Ms. Rosenzweig presented the Note Book with updated bylaws for the current and new selectmen. There is a draft of a "traditions document" to aid the new and incumbent selectmen about traditions, procedures and considerations that have taken place through the years. Ms. Rosenzweig asked that it be brought back to the next meeting with changes or drafts after the Board reviewed it.

**OPERATIONAL MINUTE**

Mr. Ledoux announced that Alice Shepard of the Finance Department has celebrated 25 years of service to the town.

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Mr. Ledoux spoke about finalizing the shared building services with Boxborough and they have a draft of an Inter-Municipal Agreement with Boxborough. He noted that inter-municipal agreement can now be entered in to by Board of Selectmen with out town meeting action.

Mr. Ledoux has signed the Commuter lot Transportation Coordinator and Shuttle Service and COA Van contracts. The second is to award the shuttle contract. The satellite parking proposals that would have met criteria had no response at all. Town Counsel noted we needed to have a Declaration of Uniqueness prepared for the contract for satellite parking.

## **PUBLIC HEARINGS & APPOINTMENTS**

### **GREEN ADVISORY BOARD**

Kate Crosby on behalf of the Green Committee updated the Board that they are on track and in line for receiving the designation as a Green Community. There are five criteria to meet in order to have the designation. They have a variety of criteria to meet, two of which are Energy Use Inventory for both town and schools. Another criteria has to do with Energy Efficient Vehicles. We need to adopt a policy that we will purchase energy efficient vehicles with exceptions of police, fire and public works vehicles.

In response to Ms. Friedrichs statement about recycling at the Schools, a Boy Scout living on Jackson Drive said that the school does recycle cans and paper.

Ms. Friedrichs – Moved the Board of Selectmen hereby authorizes Catherine Crosby, Chairperson of the Town of Acton Green Advisory Board or John Murray to submit the “The Green Community Designation” application and the “Spring 2010 Green Communities Grant Application” on behalf of the Town of Acton, further Ms. Crosby and Mr. Murray are authorized to sign any and all documents related to said applications on behalf of the Town. Mr. Gowing – second. UNANIMOUS VOTE

Charlie Kadlec asked if we are obligating the Town to the list. John talked about a solar farm on the Landfill. He said the board will be asked to vote to proceed at the next meeting. The Board asked about the location and the visual impact (from the street) of using of Landfill for this use.

### **CAOQUETTE LAND – PURCHASE AND SALES DOCUMENT**

Ms. Rosenzweig reviewed the need for the Purchase and Sales Agreement. Mr. Ledoux noted we placed a notice in the Central Register as a unique parcel and had to wait 30 days before signing the documents. The P&S is contingent on phase two environmental results and feel we will get the results in a month and will bring it back to the Board.

Ms. Friedrichs Moved to enter into the P&S for the Caouette Property – Mr. Gowing – second, UNANIMOUS VOTE.

### **SIGN ENFORCEMENT UPDATE**

Mr. Ledoux outlined the discussions he has had to address concerns of enforcement. They have proposed a panel with two members of EDC and Town Counsel for 20 minute

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appointments and have them state their case to the panel and then the panel would deliberate and offer a decision/recommendation. He also asked about a flyer to give to business. Lauren noted that Ms. Friedrichs had asked about how to get the word out and this summary is in the packet and felt a press release would be appropriate once they had a schedule established.

Ms. Harting-Barrat spoke about giving a warning before fining. Ms. Rosenzweig felt we needed to explain what is required in different districts and felt we explain it better instead of changing the Bylaw

Ms. Friedrichs – Moved to establish a panel as outlined. Mr. Gowing – second. UNANIMOUS VOTE'

The Draft Press Release that was prepared by Ms. Friedrichs was discussed Ms. Rosenzweig said we should have a press release for the paper. Ms. Friedrichs – Moved to modify the Press Release with Ms. Adachi's comments. Mr. Gowing – second. UNANIMOUS VOTE.

### **LILLIAN / BULETTE ROAD PROJECT, MASS HOUSING COMPREHENSIVE PERMIT**

Ms. Rosenzweig outlined the project review. We have 30 days to comment.

Ms. Adachi spoke about the size of the parcel. She questioned if the developer could segregate the house. Nancy Tavernier noted that the area is 2 acre zoning and would have to be 2 acres to subdivide which would make it a non-conforming lot.

Ms. Harting-Barrat spoke about the Smart Growth criteria. The application statement is misleading. She felt it was not feasible to expect people to walk those distances.

Every one is welcome to submit a letter to them. It is important to point out the deficiencies in the application that was filed.

Ms. Friedrichs noted that developer applications are in the town's DocuShare file and wanted to call it out to the voter's attention to direct them to the files so they can see the information. She stated that it's important for voters to understand what their elected representatives are doing with respect to supporting (or not opposing or defending against) development with respect to this particular application, she said that there are certain checkboxes that are checked in the application, which are clearly incorrect. With other applications, we often let these checkboxes remain checked, which suggests that we are in support of certain aspects of a development, when the design aspects may not be in keeping with that neighborhood's character. We need to be careful about these criteria sheets.

Ms. Rosenzweig pointed out that the units were listed on the form as town houses, but they look like individual single family homes. She would like to see much less density on this site.

Ms. Harting-Barrat felt that the proposed density is not suitable on this site.

Susan Lee, resident's representative noted the concerns of the neighbors such as the neighbor's land that the developer plans to cross over into. She claims "adverse possession" and will have to hire a lawyer. Most of the neighbors are concerned about the drainage on the hill. They will be addressing these concerns in their comments.

Steve was asked to draft a letter with Roland for the board's review

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## **FINANCIAL METRICS AND DATA COLLECTION**

Ms. Friedrichs discussed process for planning of projects and wanted a better process to gather the data to make decisions. Right now we use the ALG Spread Sheet and look at the current year budget and how to spend it, which is a "one year, current cash" methodology of financial planning, also known as "very short term thinking Ms. Friedrichs spoke about details on keeping track of long term obligations/costs, planned out to at least 3 to 5 years. Ms. Rosenzweig asked Mr. Ledoux about how he prepares his budget; he noted he only can manage 25% of it as the schools have the other 75%. He noted we have the bottom line budget to handle issues and warning signs to look out for. Steve Noone of Fin com encouraged the long range plans and noted that the Fincom has this under their purview. He noted that most of the costs are fixed and they know what the drivers are going forward.

## **HEALTH INSURANCE TRUST**

Ms. Adachi – Moved to Appoint Mr. Gowing as Trustee to the Health Insurance Trust to fill Mr. Berry's vacancy. Ms. Harting-Barrat – second. UNANIMOUS VOTE

## **LIAISON APPOINTMENTS TO BOARDS AND COMMITTEES**

Ms. Rosenzweig has developed a draft and asked for comments and to contact her with questions prior to finalization.

## **GOAL SETTING DATE**

Mr. Gowing suggested that they meet on May 17<sup>th</sup> to give the new members a chance to develop their goals.

## **TEAM BUILDING WORKSHOP**

Ms. Rosenzweig suggested a workshop on a Saturday to determine our strengths and weakness and she felt it would be helpful

Mr. Gowing asked the Town Manager to find a facilitator before we establish a date.

## **SELECTMEN'S BUSINESS**

### **SELECTMEN'S REPORTS**

Ms. Friedrichs updated the Board on the Sign Enforcement issue and EDC

Ms. Friedrichs noted that she has had inquiries about companies coming to town and to encourage people to come talk to the Town suggested a Non-Disclosure policy. A one page statement would be acceptable. She also spoke about a welcome package that would include demographics that are important to businesses considering locating here. She said that the EDC is developing such a package.

Mr. Gowing noted that COA met and they encouraged him to get Board support for the Nursing Service.

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Cable Advisory set up a new policy to respond to citizens concerns about Verizon. The customer service employees are blaming the town when a person calls Verizon about complaints.

ACAT can be contacted at: Acton tv.org to get information regarding the filming of a Public Service Announcement. The Acton Cable Advisory is an oversight to ACAT

Ms. Rosenzweig spoke about Magic and the TIP plan on the 30 year plan.  
Rail trails to be on the TIP list.

Ms. Harting-Barrat spoke about ticks and the upcoming film to be shown about the dangers of deer ticks.

## **OTHER BUSINESS**

### **CONSENT**

Ms. Harting-Barrat recused herself and left the room because her husband David was on consent for a Committee action.

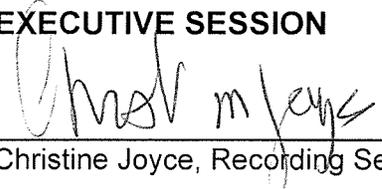
#14 Hold Mr. Gowing

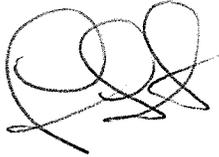
Mr. Gowing asked about the fee schedule regarding the request for increased fees.

Ms. Friedrichs – Moved to accept the consent items excluding #14. Ms. Harting-Barrat – second. UNANIMOUS VOTE

Mr. Gowing – Moved to accept the consent item # 14 Ms. Friedrichs – second. UNANIMOUS VOTE.

### **EXECUTIVE SESSION**

  
\_\_\_\_\_  
Christine Joyce, Recording Secty

  
\_\_\_\_\_  
Clerk  
Date: 6/21/10

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

*Francis Faulkner Hearing Room*  
*April 26, 2010*  
*7:00 PM*

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

**1. REORGANIZATION OF THE BOARD**

**2. 7:10 CHAIRMAN'S UPDATE**

The Chair will briefly update the Board on Topics of interest

**3. 7:15 OPERATIONAL MINUTE**

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

**4. 7:30 GREEN ADVISORY BOARD**

**III. SELECTMEN'S BUSINESS**

**5. CAOQUETTE LAND - PURCHASE AND SALE DOCUMENT**

Enclosed please find a signature page for Board action

**6. SIGN ENFORCEMENT UPDATE**

Town Manager Ledoux will update the Board in the subject regard

**7. LILLIAN / BULETTE ROAD PROJECT, MASS HOUSING  
COMPREHENSIVE PERMIT**

Selectmen Rosenzweig and Adachi will update the Board in the subject regard

**8. FINANCIAL METRICS AND DATA COLLECTION**

Selectman Friedrichs will update the Board in the subject regard

**9. HEALTH INSURANCE TRUST**

The Board will discuss its appointment to the Trust to fill the vacancy left by Mr. Berry

**10. LIAISON APPOINTMENTS TO BOARDS AND COMMITTEES**

Selectmen's liaison assignments will be discussed

**11. GOAL SETTING MEETING**

The Board will be asked to choose a Monday in May for a Special Meeting in this regard

**12. TEAM BUILDING WORKSHOP**

The Board will be asked to choose a Saturday morning for a Special Meeting in this regard

**SELECTMEN REPORTS**

**OTHER BUSINESS**

**IV. CONSENT AGENDA**

**13. ACCEPT SELECTMEN'S MINUTES, MARCH 22, 2010**

Enclosed please find materials in the subject regard

**14. MECHANICAL PERMITS & PROPOSED FEE SCHEDULE, BUILDING DEPARTMENT**

Enclosed please find materials in the subject regard

**15. APPLICATION FEE FOR SPECIAL EVENTS SIGNS**

Enclosed please find materials in the subject regard

**16. ACTON GARDEN CLUB TEMPORARY SIGNS ON THE COMMON**

Enclosed please find materials in the subject regard

**17. COMMUNITY PRESERVATION PROJECTS, STAFF ASSIGNMENTS AND POLICY FOR OPEN SPACE ACQUISITION AND PRESERVATION FUND**

Enclosed please find materials in the subject regard

**18. CONFIDENTIAL REQUEST, REDUCED BEACH FEE AT NARA PARK**

Enclosed please find materials in the subject regard

**19. ACTON 5K ROAD RACE, NARA PARK REQUEST FOR FEE WAIVER**

Enclosed please find materials in the subject regard

**20. ACCEPT GIFT, ANONYMOUS DONOR**

Enclosed please find a gift of \$1,000.00 from an anonymous donor for Employee Appreciation Day at NARA Park

**21. ACCEPT GIFT, RECREATION**

Enclosed please find a gift of \$4,000.00 from Roche Brothers, Inc. to be used for support of the Summer Concerts at NARA Park

22. **DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**  
Enclosed please find materials in the subject regard
23. **ONE DAY LIQUOR LICENSE, PELAGIC SAILING CLUB, AT NARA PARK**  
Enclosed please find materials in the subject regard
24. **ONE DAY LIQUOR LICENSE, OLD GOLD RUGBY, INC. AT NARA PARK**  
Enclosed please find a request in the subject regard
25. **ONE DAY LIQUOR LICENSE, EXCHANGE HALL**  
Enclosed please find a request for a One Day Liquor License in conjunction with a fund raiser for Pancreatic Cancer research
26. **ARBOR DAY PROCLAMATION**  
Enclosed please find materials in the subject regard

## **EXECUTIVE SESSION**

### **ADDITIONAL INFORMATION**

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

### **FUTURE AGENDAS**

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

#### **MAY 10**

LEO BERTOLIAMI  
(TENTATIVE)

#### **JUNE 7**

#### **MAY 24**

MORRISON FARM

#### **JUNE 21**

### **MINUTES PENDING VOTES**

March 29, 2010

### **PENDING COMMITTEE APPOINTMENTS**

Ronald Beck, Conservation Commission – Application sent to VCC

Ahmed Hilmy, Design Review Board, Finance Committee, EDC –Application sent to VCC and Town Moderator

Daniel Factor, has been interviewed by VCC and recommends he serve on the COD

Ronald Rose, Historic District Commission, interviewed by VCC

Dean Cavaretta – TAC, CCPC, EDC, Application sent to VCC

**Maya Spies – CCPC, Application sent to VCC – Has withdrawn her Application**

David Didriksen – EDC, Application sent to VCC

Final

**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING  
March 29, 2010**

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

**Executive Session, 6:30, Room 126**

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

Ms. Knibbe – Moved to open regular session meeting only to go into Executive Session to discuss land negotiations. Mr. Gowing - second. Roll Call Taken, All Ayes

Ms. Knibbe – Moved to go into Executive Session for the purpose of discussing Land Negotiations. Roll Call Taken, All Ayes and to adjourn into Regular Session at 7:00 p.m. in Room 204.

**CITIZENS' CONCERNS**

**CHAIRPERSON'S UPDATE**

Ms. Knibbe announced Election tomorrow and urged all to get out and vote.

**OPERATIONAL MINUTE**

Mr. Ledoux announced Governor has declared a State of Emergency due to flooding. Mr. Ledoux spoke about the Town of Boxboro Building inspector vacancy and that Boxboro would like to explore entering into an inter-municipal agreement for sharing Acton's Building Inspector with Boxborough. Mr. Ledoux will report back once the materials are prepared.

**PUBLIC HEARINGS & APPOINTMENTS**

**CABLE TELEVISION MEMORANDUM OF UNDERSTANDING**

Mr. Gowing outlined the Memorandum of Understanding and that the document spells every thing out. Once signed, the PEG payments will flow to the ACAT.

Ms. Friedrichs asked about the creation of content and whether the producer retains the ownership. She specifically asked whether using the facilities capital to produce the content gives the Town any ownership of the content, or whether it just gives the Town the right to broadcast Mr. Covert replied any organization can come in to produce content and they own the content.

Final

Ms. Knibbe asked about advertising and wondered if we would see any advertising. John Covert replied it would be the same as it is done on the Public Television Stations. Ms. Friedrichs – Moved to enter into the Memorandum of Understanding with ACAT. Mr. Gowing – second. UNANIMOUS VOTE

## **SELECTMEN'S BUSINESS**

### **ALG/BUDGET DISCUSSION**

Ms. Knibbe reviewed the last ALG and transfer of \$96,000 to the schools to close their budget hole, with the understanding that, it is not binding to the next ALG members and, would not be reoccurring.

### **2010 ANNUAL TOWN MEETING**

#### **ARTICLE POSITIONS, ARTICLE 2 AND 4**

Ms. Knibbe discussed the Nursing Enterprise Fund and recommendations. Mr. Gowing noted we are asking for \$50,000 transfer to Nursing Enterprise Fund to carry the Nursing Service through fiscal 2012. The problem we are having is to pull it or have a discussion on the floor of Town Meeting. Steve explained the money issues and will have the Finance Director serve as a comptroller and study this for a couple of months. Steve suggested we pull it off consent and address it on the floor. There will be policy decisions-- is there a public need, and is there a willingness to support this program from taxpayers? It was noted we are required under State law to provide a Public Health Nurse, but not at the current level that is provided currently.

Ms. Friedrichs spoke about her recent experience with health care in other communities and our lack of a free clinic. She suggested we look at pro-active health care. She asked about the referrals. All monies come from referrals. Merrily Evdokimoff, Nursing Supervisor noted that when they don't have referrals, they have cut the monies out of their budget.

Ms. Knibbe spoke about the need and agreed that 6 months is a good review period. She feels this article should be pulled off the Town Meeting Consent Agenda, as it deserves a full fledged discussion. Ms. Friedrichs - Move to remove Article 4 from Consent. Mr. Gowing - second – UNANIMOUS VOTE

Mr. Berry – Moved to appropriate \$50,000 for Nursing Service balance for remainder of FY10 and \$50,000 from Taxes and \$97,000 from the Nursing Enterprise Fund. Mr. Gowing – second. UNANIMOUS VOTE

Mr. Berry noted that in Article 2 some funds do not come from general revenues of the town but from the insurance payments

#### **DISCUSSION OF ARTICLE 22**

Ms. Knibbe discussed the funding for the COPS in school program to fund the third policeman. We said we had already included it in our budget. We could pass over Article 22 or accept funds from free cash.

Ms. Knibbe - Moved to pass over Article 22. Mr. Berry – second. 3-1 – Ms. Friedrichs – No, Motion passes

Final

## **BUDGET FUNDING SOURCES**

Final spread sheet will be sent to Fin Com and League to prepare the score cards.

**MUNICIPAL EMPLOYEE OF THE YEAR – Maura Haberman.** It was noted that she does a good job in bringing in funds to sustain the Recreation Department.

## **PUBLIC SAFETY EMPLOYEE OF THE YEAR**

Brent Carter has been involved with SAFE program.

Ms. Knibbe – Moved to ratify the employees chosen. Mr. Berry - second. UNANIMOUS VOTE

## **GREEN COMMUNITIES**

Ms. Knibbe spoke about the Green Communities. The State is encouraging Green Communities. If you are delegated a Green Community you can get grants from the State. There are 5 criteria needed to be designated. We have a plan for fuel efficient cars and have reduced energy expenses by 20%, so we are already meeting some of the criteria. The deadline is May 14<sup>th</sup> and those who meet the criteria will be eligible to receive Grants in the first round. We are very close to meeting the criteria.

Mr. Ledoux had been concerned about expedited permitting, but he was more comfortable since changes were made.

## **RECORD OF VOTE, PIPER LANE**

Mr. Ledoux explained the need for the vote to be formalized. Ms. Friedrichs – Moved to sign the Record of vote pertaining to Piper Lane. Mr. Gowing – second. UNANIMOUS VOTE

## **SELECTMEN'S REPORTS**

Mr. Berry reported MBTA agreed to Acton's alternative design, two platforms and two elevators and bridge to use the platforms. He thanked the State and the T for working so collaboratively on this project to make this a well designed project. Mr. Berry would like to continue to serve on the committee if the Selectmen chose to allow it.

Ms. Knibbe spoke about the Capital Funding FAQ's to be posted on the web site.

## **OTHER BUSINESS**

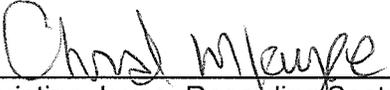
## **CONSENT**

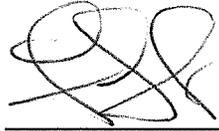
Ms Friedrichs – Moved to accept the consent items. Mr. Gowing – second. UNANIMOUS VOTE.

Final

**EXECUTIVE SESSION**

The Board held Executive session at 6:30 p.m. through 7:00 p.m.

  
\_\_\_\_\_  
Christine Joyce, Recording Secty

  
\_\_\_\_\_  
Clerk  
Date: 6/21/10

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

**EXECUTIVE SESSION, ROOM 126, 6:30 P.M. TO 7:00 P.M.**

*Francis Faulkner Hearing Room*

*March 29, 2010*

*7:00 PM*

**EXECUTIVE SESSION – 6:30 P.M. TO 7:00 P.M.**

**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. 7:06 OPERATIONAL MINUTE**

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

**3. 7:15 CABLE TELEVISION MEMORANDUM OF UNDERSTANDING (MOU)**

**ISSUE:** Cable Television Agreement

**III. SELECTMEN'S BUSINESS**

**4. ALG/BUDGET DISCUSSION**

Enclosed please find materials in the subject regard

**5. 2010 TOWN MEETING WARRANT**

No Materials Enclosed

**5A. ARTICLE POSITIONS, ARTICLE 2 AND 4**

Enclosed please find materials in the subject regard

**5B DISCUSSION OF ARTICLE 22**

No materials

**5C BUDGET FUNDING SOURCES**

Enclosed please find materials in the subject regard

**6. EMPLOYEE OF THE YEAR / PUBLIC SAFETY EMPLOYEE OF THE YEAR**

Enclosed please find materials in the subject regard

**7. GREEN COMMUNITIES APPLICATION**

Enclosed please find materials in the subject regard

**8. RECORD OF VOTE, PIPER LANE**

Enclosed please find materials in the subject regard

**9. SELECTMEN'S REPORTS**

Capital Warrant Article Funding FAQ's

**10. OTHER BUSINESS**

**IV. CONSENT AGENDA**

**11. USE SPECIAL PERMIT #06/05/07-411, SECOND AMENDMENT 251-255 MAIN STREET, SUNDBERG II REALTY TRUST**

Enclosed please find materials in the subject regard

**12. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard.

**13. REQUEST TO AMEND THE LEVEL OF SPENDING, DOUGLAS AT DAWN REVOLVING ACCOUNT**

Enclosed please find materials in the subject regard

**14. ACCEPT GIFT, POLICE DEPARTMENT**

Enclosed please find a gift of \$250.00 from the Law offices of Graham and Harsip, to be used to fund the Child Safety Program

**15. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$500.00 from Animal Emergency Care, to be used to fund Acton Day

**16. ACCEPT GIFT, PUBLIC HEALTH NURSING SERVICE**

Enclosed please find a gift of \$500.00 from John Powers in his wife Elizabeth Powers memory, to be used by the Acton Public Health Nursing Service

**V. EXECUTIVE SESSION**

There will be a need for Executive Session, Real Estate Negotiations

## **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.

## **NO MEETINGS SCHEDULED – TOWN MEETING**

## **MINUTES PENDING VOTES**

Budget Saturday, January 25, February 1 - March 8 & 22

## **PENDING COMMITTEE APPOINTMENTS**

DAVID LUTZ – Working with VCC to determine what committee he would like to serve on  
RONALD ROSE – sent to VCC, HDC applicant

LINDA MAYER – ABCC to VCC to review (no opening at this time) Hold in Pending