

## BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

January 4, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Peter J. Berry, Janet K. Adachi, Franny Osman, Chingsung Chang, Town Manager Steven Ledoux, and Lisa Tomyl, Recording Secretary  
Chairman Green opened the meeting at 7:00 PM

### Citizens' Concerns

None

### Chairman's Update and Operational Update:

Ms. Green: Happy New Year. Thank you to Sharon Mercurio for hosting "Noon Year's Eve" at the COA. This Saturday at 8 AM is Budget Saturday in room 204. CPR AED First Aid training at 9 AM at the Public Safety Facility this Saturday. ABRSC Budget Saturday on January 23<sup>rd</sup> starting at 8:30 AM at the RJ Grey Jr High. Forum on Changes and Challenges in Suburban Policing hosted by the Acton League of Women Voters on Wednesday, January 20<sup>th</sup> at 7:30 PM here in room 204. Acton Boxborough United Way is hosting an evening with David McCullough J., Thursday January 7<sup>th</sup> at 7 pm in the high school auditorium. Next meeting is January 25<sup>th</sup> due to the holiday on 18<sup>th</sup>.

Mr. Ledoux: Mr. Ledoux introduced the new Land Use Economic Development Director Matthew Selby, who prefers to be called "Selby". He comes from Ashland where he has been Community Development Director for a number of years and has filled other roles in Ashland in Planning, Health, and Zoning. Last Wednesday, December 30<sup>th</sup> the ladder truck caught on fire in Station 2. The fire was contained to just the engine compartment, but there was smoke damage in the station. It will take about 3 months for the ladder truck to be repaired. The Town is looking for a temporary ladder truck in the interim. House Bill 3188 to increase the Town's liquor licenses will have a hearing on Wednesday in front of the House Consumer Protection Committee, which is chaired by our State Representative Jennifer Benson. Chairman Green will be signing a letter of support tonight.

### Public Hearings and Appointments

Senior Center Study Committee Presentation – Dean Charter, Chair of SCSC and Sharon Mercurio, Council on Aging Director, gave a presentation regarding the proposed Arlington Street location and building schematics for the new Senior Center. Public forum tentatively 1/13. Building to include human services departments, which will help residents and also help staff of very small departments. Would add 4,000 sq. ft. of space. Human Services Departments would have separate entrances; have own security concerns that would have to be addressed. NARA site now too small for needs and removed from center of town; Walker parcel is in flux and in congested area, and Senior Center will be Board of Selectmen

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20,000 sq. ft. facility with 100-spot parking so that would be an issue, given that the daycare center would have been similar size with similar parking. Arlington Street is 25 acres of which 5 are buildable; parcel backs up on Lincoln, is 1.8 miles from Town Hall, 1.4 miles from Post Office, 0.2 mile from Indian Village. Aim would be to pursue construction funding at 2017 Town Meeting. Estimated cost: 8-10M, construction would take ~ 3 years, done April 2020.

Ms. Osman thanked everyone on the committee and thinks this is good idea. Mr. Berry inquired about backup for the \$300,000. Mr. Charter relied on LLB architects and schematic designs, which are not construction documents. Mr. Berry is concerned that the Arlington Street location will be difficult to find, and will require driving or other forms of transportation that makes Walker seem to be a better location; he asked if the committee had thought about transportation to the location. Mr. Charter said Kelley's Corner traffic is a concern and feels that seniors will still prefer to drive their own vehicles, and perhaps in the future, the public transportation route could be adjusted to include stops at the Arlington Street location. Mr. Berry stated there was some talk about the 8 Post Office square leasing possibility for the short term until occupation of the new building. Ms. Adachi asked what the plan was in the interim, until the new building was ready: extending hours. Mr. Chang asked what the plan was for moving and supporting staff. Mr. Ledoux stated the FY 17 budget focuses on clerical assistance for human services.

Lynne Osborn, 2 Winter Street – would hope and encourage BOS accept this plan and not have seniors entering and exiting onto rt. 27. She is extremely supportive of the Arlington Street location. Ms. Osman moved to pursue Arlington Street site and pursue combining human services and senior center, seconded. All Ayes (5-0).

Common Victualler, Acton Coffee House – The business is moving to a new location at 525 Mass Ave. William Ray, owner of Acton coffee house. Ms. Adachi moved to approve a common victualler license at 525 Mass Ave, Ms. Osman second, All Ayes. (5-0)

Site Plan Special Permit #11/06/15 – 458, 267 Great Road – Applicant has requested a continuation to February 22, 2016.

Andy Beggs, 1 Gabriel Lane – wanted Board to know that there were 12 members of Acton Meadows Condominium Trust at the meeting tonight in case that was a consideration in the Board's allowing an extension of time.

### **Selectmen's Business**

Community Preservation Act Project Application Discussion – Mr. Berry provided an update. There are 8 Town projects that Selectmen will prioritize at the next meeting. Some applications that are not being considered are Trail through Time and Historic District Commission. The CPC is not voting on the applications until February. Peter Ashton added that the Open Space Committee application is requesting \$470,00 not \$450,000. Discussion continued to January 25, 2016

Special Town Meeting – Open and Close the Warrant - Minuteman Regional District – Discussion and Vote about Proposed Regional Agreement Amendments, Proposed Special Town Meeting, District Membership. Ms. Adachi moved to call a Special Town Meeting on Tuesday, Feb 2 and open and close the warrant with 1 warrant article. Ms. Osman seconded. All Ayes (5-0) Ms. Adachi was assigned the article.

Special Selectmen Meeting to Discuss Budget, February 1, 2016 – under town charter BOS has to recommend a budget 60 days before town meeting.

Accept Gift, Jay Redmond, 3 Modular Homes, Rex Lane –Continued discussion from last meeting. Board could accept 2 homes – one at Miracle Field, other where the volleyball court is to serve BFRT. Both projects are pending with CPC and the foundations would cost a total of \$60,000. Miracle Field is raising funds, Friends of BFRT have offered funds for the design of the comfort station. Ms. Green suggested holding off a vote tonight.

Richard Kelleher – 46 Brewster Lane – any plans on keeping the facilities clean and trash picked up. Mr. Ledoux stated that the Town is looking into private services for that. Mr. Berry added that NARA pays for itself with user fees, so any outside maintenance could result in increase in user fees, parking fees, etc.

**Selectmen's Reports:**

Selectmen Reports are included in the agenda packet on docushare. There were no questions.

Ms. Osman announced upcoming meetings in January and February.

Ms. Green announced she is seeking re-election.

**Consent Agenda**

Ms. Osman move to approve consent agenda 8-13, Mr. Chang seconded. All Ayes (5-0)

Mr. Chang moved to adjourn, Mr. Berry seconded, all Ayes (5-0)

Respectfully Submitted,

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Lisa Tomy, Recording Secretary

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Janet K. Adachi, Clerk

**Board of Selectmen and Finance Committee**  
**Budget Saturday**  
**January 9, 2015**

**Selectmen Member Present:** Katie Green, Peter Berry, Janet Adachi, Franny Osman, Chingsung Chang  
**Finance Committee Members:** Mike Majors, Margaret Busse, Doug Tindal, Stephen Noone, Roland Bourdon III, Bob Evans, Shuyu Lee, Jason Cole, Dave Wellinghoff

**Town Staff Present:** Town Manager Steven Ledoux, Veterans Service Officer James MacRae, Human Resources Director Marianne Fleckner, Highway Superintendent Dick Waite, Engineering/DPW Director Corey York, Council on Aging Director Sharon Mercurio, Memorial Library Director Marcia Rich, Building Commissioner Frank Ramsbottom, Planning Director Roland Bartl, Citizen's Library Director Jennifer Friedman, Information Technology/ Emergency Management – Kristen Alexander and Matthew Frost, Police Chief Frank Widmayer & Deputy Police Chief Rich Burrows, Municipal Properties Supervisor Andrea Ristine, Natural Resources Director Tom Tidman, Recreation/Celebrations Director Cathy Fochtman, Fire Chief Pat Futterer & Deputy Fire Chief Robert Hart, Health Director Sheryl Ball, Nursing Director Heather York, Transportation Director Doug Halley, Finance Director Steve Barrett, Town Clerk Eva Szkaradek, Chief Assessor Brian McMullen.

This meeting was recorded.

Chairman Green convened the Selectman's meeting to order. Mr. Ledoux explained the Town Charter requires an appointment of an Assistant Town Manager in the absence of the Town Manager as the current Assistant Town Manager is out on medical, so Mr. Ledoux proposed to appoint the Police Chief Frank Widmayer as Assistant Town Manager in the Town Manager's absence. Ms. Adachi move to approve appointment in accordance with Town Charter, Ms. Osman seconded. All Ayes (5-0).  
Rex Lane Modular Housing – Mr. Ledoux requested to defer to the January 25, 2016 Board of Selectmen meeting.

Chairman Majors convened the Finance Committee to order.

Town Manager Ledoux and Steve Barrett, Finance Director gave a brief overview of the FY17 budget and introduced Matt Selby (prefers to be called Selby), the Land Use Economic Development Director who began on January 4, 2016. Marianne Fleckner gave an overview of the collective bargaining process and status of union contracts.

**Veteran Services**

James McRae presented his budget. Worked for town for 4 years. Only .56% change in budget. No questions from Board of Selectmen or Finance Committee

**Human Resources**

Marianne Fleckner – Town employee for 7.5 years presented her budget. Mr. Berry inquired how many employees are out on injury, Ms. Fleckner stated about 4 or 5, mostly Fire and PD.

Mr. Noone suggested that the town should put more money into tuition reimbursement than the current \$200.00. Ms. Green inquired about how much advertising is online and/or paper advertising depending on the position.

**Highway/Transfer Station/Recycling/Municipal Properties/Engineering**

Corey York 20 years, Andrea Ristine 20 years, Dick Waite 32 years

Engineering –

Highway – 98% toward salaries – increase 4.6%

Municipal Properties – down 2% overall most budget is salaries and buildings.

Finance Committee questioned a budget line item regarding Morrison Farm capital budget to approve for \$110,000? Ms. Green explained that it is not in the budget but potentially renovating the house using Habitat for Humanity and working with Morrison Farm Committee. Finance Committee member noted that there was already \$125,000.00 into the house for renovation. What is the need for additional money for renovations. Mr. Ledoux pointed there is an asbestos issue that needs to be cleaned up before continuing renovations. Habitat (for Humanity) is very interested in the house. Meeting with Morrison Farm Committee next week regarding the house and with Habitat (for Humanity). Electricity and plumbing not up to code. Finance Committee noted that it seems that for \$200,000 you could build a new house. Ms. Ristine stated that the Historical District Commission/Historical Commission will not let us knock it down. Mr. Ledoux added that once the purchase of Harris Street property is completed, the shed will be moved to that location.

Roland Bourdon – reduction of trash to 40% - why is the budget up for it? Mr. York explained the need to get a full year of PAYT under the belt to see what the total amount will be and not to cut the budget too much to get a full assessment.

Mr. Bourdon inquired if the swap shed is going to be re-opened. Mr. York explained that the swap shed is closed in the winter – volunteers operate it.

Ms. Adachi noted that it still seems to be misunderstanding with people on who pays for the cost of the transfer station. Users need to understand that it's the users that do.

Ms. Adachi inquired about the Windsor building and if the Citizen Library is still being used for storage as well – Ms. Ristine affirmed it was.

Ms. Adachi inquired to Ms. Ristine if someone has filled your previous position – there is a temporary employee for now.

Ms. Osman inquired to Mr. York if he considered having an electronic application to report potholes, etc. Is that something you would consider (public view of requests).

Mr. Bourdon noted that Town Hall has full flush toilets vs. less water toilets and how about the Asa Parlin house for a Habitat for Humanity project? Ms. Ristine noted that the Town Hall has the lowest of water bills, and the Asa Parlin house is an unsafe structure to enter.

Sewer – 1.7 million budget – increase of 1.2% have some capital items – bike lane safety study looking to set up a feasibility study, second South Acton commuter lot landscaping, third Prospect and Main traffic study, new utility truck, parker street bridge, painting of Town Hall, street lighting – out of energy efficiency fund, yard tractor for transfer station, sewers – ongoing capital replacement program going on there (equipment replacement, pumping and storage)

Mr. Wellinghoff – train station – termination of the rail trail on the south side would be cost saving for the landscaping

Ms. Woolley Busse – re train station landscaping, what is the total parking lot fund and is it going toward the transportation fund? Mr. York - not sure what the fund is but looking at 5 year plan re potential . MB --what is the amount. Mr. Barrett – we will look into what the exact balance. MB there are limited uses to the parking lot fund.

Town Hall painting –at some point there was suggestion cwas that gift source would cover cost – what is a gift source? Ms. Ristine – it was not a gift source ,it was CPC funding. Mr. Ledoux - There was a gift source of about \$3000.

Mr. Bourdon – how much to paint the historical colors vs. white

Mr. Evans –previously purchased police cruisers from the parking lot fund – can we still do that? – Mr. Ledoux – no, there are specific laws that indicate how to use the money to purchase items.

Ms. Adachi – Parker St bridge – hope to do it dry weather, so during the summer? – Mr. York - yes.

Ms. Green – Prospect and Main study – what happened to the Acton center study? – waiting for more public comment, looking to make a presentation in late fall. The tool trucks – are they being turned in? – Mr. Waite – yes and will be keeping them locked down

### **Council on Aging**

Sharon Mercurio – 5-year employee.

Ms. Wooley Busse – total number of seniors? – SM – 4489

Capital Items – SCSC asking for \$300,000 design funds for new Senior Center

Mr. Noone – last time we asked for \$\$ for design, it was declined. Why are we bonding now – requires 2/3 this time? Mr. Barrett –we can legally bond cost over 5 years and there are other proposals on the table as well. It is legal to bond design costs. SN – what if that fails? SB – valid point why you wouldn't consider bonding.

Mr. Wellinghoff – where do you draw the line on what is bonded and what is not? SB – lot that goes on – sit with a spending total that we want to hit. Every year we look at capital projects that are bought before – this project is ready to move forward. Mr. Evans – surprised the cost has doubled in a year. Combining 3 services at the facility. Abandoning the Audubon location. Ms. Green – if Town Meeting 2017 approves the building it won't happen overnight, the current location is being considered for the Recreation Department in the future. Mr. Tindal would like to see some sort of business plan with the projection of senior usage in the future. Consider renting a space for ten years then see if usership and location works, then renew the lease.

### **Acton Memorial Library**

Marcia Rich –

### **Building**

Frank Ramsbottom – 9 year employee. General fund – purchasing notebooks (electronic tablets). Slight increase in office supplies. Revolving funds – same as last year.

### **Planning/Zoning Board of Appeals**

Roland Bartl presented his capital project of the Kelly's Corner Design Project. Mr. Noone – expect rest of the funding will be paid for federal and state – Mr. Bartl stated that that is the expectation. Mr. Noone asked how long on the waiting period on the TIP – Mr. Bartl - rail trail took longer than expected. Goal is to have design completed in roughly 5 years and construction to begin immediately after as soon as the TIP funding comes through. Project does not include underground utilities – it would substantially increase the cost, likely double the cost.

Operating budget – no change

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### **Citizen's Library**

Jennifer Friedman – 9 years – budget not changing. Ms. Osman inquired how Citizen's Library uses Windsor Building. – Ms. Friedman stated that the library uses the first floor of the Windsor building for book sales.

### **Town Manager**

Steve Ledoux – 8 years – Salary budget consists of Town Manager and Assistant Town Manager, moved Community Service to Manager budget due to her location next door and better involvement with her services.

Mr. Tindal noted that the Manager Department has spent \$175,000.00 on legal fees with regard to the Walker property – Mr. Ledoux would have to confirm total. Mr. Tindal inquired if there was anything in the works that will drive up legal fees in the future. Mr. Ledoux stated possible land purchases in the future – it is a guess. Nothing we anticipate at this point. Ms. Adachi noted that Board member salaries remain the same.

### **Information Technology/Emergency Management**

Kristen Alexander – 15 years – increase in encumbrances due to the nature of IT services. Many projects require a purchase order up front and spend as invoices come in. Mr. Tindal – when will the IT update committees on the website? Matt Frost – will make a note to have the committees updated on the Town website

Matt Frost – 3 years - increase in MIS equipment, telephone line Emergency Management budget

### **Police/Dispatch/Animal Control Officer**

Frank Widmayer – 39 years

Rich Burrows – 3 years – presented the police budget – call volume up 3900 from 2014 (26,700). 91% of budget is personnel. Overall budget reduced by 1.6%.

Ms. Wooley Busee – what is driving the increase in call and the nature – Mr. Burrows stated 250000 calls coming in for assistance and staff in the field that come across during a shift, increase in substance abuse – 12 drug overdoses and 2 deaths and 7 saves with narcan. Received a grant for a jail diversion program and works with the town of Acton. Increase in domestic violence.

Ms. Green inquired if the school detail officers are funded by school or through police, Mr. Widmayer stated it is funded by PD

### **Natural Resources/Cemetery**

Tom Tidman – 27 years – presented the budget for Natural Resources – increase in water due to installation of new community garden in South Acton, a onetime increase for a plow to put on their tractor to plow the walking path at NARA, and a purchase of a F350 truck for cemetery to replace aging vehicle

Mr. Berry inquired if the new community garden will be open in Spring – Mr. Tidman stated no.

Mr. Majors inquired if there has been a request for a dog park , Ms. Fochtman stated that we (Natural Resources) have had 2, there is an unofficial one at Great Hill not run by the town. Mr. Tidman noted that he is open for discussion on logistics of location of one and who will oversee it.

Cathy Fochtman – 9 years – presented the Celebration budget. No further questions.

### **Fire**

Pat Futterer – 3 years –presented his budget General Fund / Capital Fund Items

Robert Hart – 28 years

Mr. Majors ask if based on businesses in Actonthe Fire Department/Police Department were equipped to handle emergencies? Mr. Futterer stated yes, but not for Hazardous Materials and that thay have to call the state team, but do have 1 employee that is trained in special HazMat conditions.

Mr. Bourdon asked the age of the truck and the ambulance. Mr. Futterer stated that Engine is 16, but can't remember the age of the ambulance.

Mr. Bourdon inquired if the Fire Chief wanted to replace the command vehicle with the same size vehicle?

Ms. Wooley Busse inquired about how many fires the Fire Department responded to. Mr. Futterer stated approximately 5000 calls per year, 1500 ambulance, 90 were fire calls, 8 were full fires.

Mr. Noone asked what percent of calls are for North Acton , Mr. Futterer responded 45%

Ms. Green noted that ALS services haven't happened, and Mr. Ledoux responded that Town commenced bargaining with fire union in 2013 and reached an agreement in fall of 2014, and the ratification did not pass. They recently changed counsel.

### **Health**

Sheryl Ball – 27 years

### **Nursing**

Heather York – 11 years. Mr. Noone noted that revenue from patient visits is under \$200,000 per year – down from where it was a couple years ago and wondered if the marketing effort was having any impact. Ms. York stated that personnel increase line is to coverage for the weekends. And running at \$144,000 for revenue currently. Ms. Wooley Busse questioned if the marketing is having an effect. Ms. York stated that the marketing taskforce began this past February and has published a 3 page FAQ published on the website. Can't really comment if the marketing is working since it just began earlier this fall. Our referrals are increasing.

Mr. Tindal stated that it is premature to pass judgment this early.

## **Transportation**

Doug Halley – 38 years. Mr. Halley gave his budget presentation. Ms Wooley Busse – parking fund and uses – only can be used for the rail shuttle – Mr. Halley - transport that goes to train station. MB - \$116,000 from parking fund, rail shuttle is \$100,000, assuming rail shuttle bring in most fees. Mr. Halley – yes. MB - Rail shuttle is popular does it make sense to raise fees? Mr. Halley - after the fees are raised we would have to assess if charging the right fees. MB - What is the ridership of CAT – Mr. Halley– 40 riders a week. We haven't push it too much just wanted establish a route now moving forward with more publicity. Mr. Evans stated that the MBTA covers 50% and Transportation is covering less than 5% - where is this going be in 5-10 years? Ms. Green noted there is hope for increase in ridership – not anticipating it to get to 50%.

Revolving fund – Ms. Busse inquired on what Acton money is paying for in the \$325,000. Mr. Halley responded that Acton pays \$15,000.

Ms. Osman clarified that for years the Town has been spending money on door-to-door services – the improvements is now we have dispatch available from 8:30 – 4. Transportation is now available for not just seniors and people with disabilities.

## **Finance (Accounting, Town Clerk/Elections, Assessors, Collector, Finance Director)**

Eva Szkaradek – 21 years – Most of the budget has shifted to the Finance Department budget, so overall budget has decreased. Election budget has decreased – budgeted for 5 nights for TM so dropped to 3 nights.

Lisa Krauss – 22 years – no real changes – only increase is 4 FTE increase in steps and COLA.

Brian McMullen – 24 years

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Steve Barrett – 16 years – collector budget 1.05% increase, 2.5 FTE, Finance Director budget – 40% of spending is in Finance, lot of costs are housed there – budget up 3.5%

Mr. Noone inquired about the Middlesex Retirement Board pension and if it is still correct . Mr. Barrett stated that it was moving along at a 6.5% funding level.

Steve Ledoux– Capital Planning Committee Charge – looking for something that incorporated regional schools into the charge – put together a draft charge. In volume 2 of electronic budget, page 304.

Ms. Busse questioning why you would need the school Superintendent included. School was looking to do the same type of committee. Does like the charge the way that it is.

Mr. Noone likes the charge – need to give people the opportunity to make decisions on the large capital projects coming through the best way to spend the money.

Mr. Berry mentioned that putting school finance director on committee is a good idea.

Mr. Ledoux stated that the committee would make the recommendations what capital projects (that are over \$100,000) would be funded each Fiscal Year.

Ms. Adachi moved to adjourn, Ms. Osman seconded. All Ayes (5-0)

Respectfully submitted,

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Lisa Tomy, Recording Secretary

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Janet K. Adachi, Clerk

**BOARD OF SELECTMEN AND SEWER COMMISIONER'S MEETING**

**February 1, 2016  
Francis Faulkner Room 204  
Regular Meeting 6:30 PM**

Present: Katie Green, Peter Berry, Janet Adachi, Town Manager Steven Ledoux, Lisa Tomyl, Recording Secretary

Absent: Franny Osman, Chingsung Chang

Chairman Green opened the meeting at 6:30 p.m.

**Citizens' Concerns**

None

**Chairman's Update and Operational Update:**

Ms. Green – None

Mr. Ledoux – None

**Public Hearings and Appointments**

Community Preservation Act Town Project Application Overview –Mr. Berry did a brief overview of the CPA Application spreadsheet and Community Preservation Committee recommendations: ACHC Community Housing Program Funds at \$60,000, Open Space Committee Open Space Set-Aside (\$450,000) and Preservation and Acquisition (\$20,000), Recreation Commission NARA Parking Control (\$30,000), Miracle Field Sports Area (\$400,000), TJ O'Grady Skate Park Phase 2 (\$135,000).

Dave Clough – brought forward the CPA application for the Acton Congregational Church and wanted to verify that the Board was ranking only the Town applications. Mr. Berry confirmed that only the Town projects will be voted on at next Selectmen meeting.

6:35 p.m. – **Vote of FY17 Budget** – Mr. Ledoux presented an overview of the FY 17 municipal budget with 4 options for the Board of Selectmen to vote on. Recommendations from the Town Manager included a total spending of \$32,856,604.00. Subsidies recommended were transportation at \$245,000 and Cultural Council at \$2,000.00 (total of \$247,000). Capital recommendations were bike lane rail trail study at \$60,000, painting town hall at \$162,000, and FY17 interest cost (bond) at \$20,055 (total \$242,055). Bond interest will go towards several projects – Senior Center Design, Kelly's Corner Design, Town Train Station Improvements. All 4 options included funding for Senior Center Design of \$300,000 without borrowing.

Option 1: Add 300K to FY17 budget; budget up 3.76%

Option 2: Reduce operating by 300K, add 300K for Senior Center; budget up 1.9%

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Option 3: Bond Town Hall painting, reduce spending by 138K; budget up 2.42%

Option 4: Add to budget 125K healthcare savings due to modified assumption of 4% rather than 8% increase, and draw on gift accounts: 75K from Audubon Hill and 100K from Concord Mews (of 900K, of which use of 150K at Selectmen's discretion; 50K used previously toward cost of acquiring Assabet River Rail Trail easements). Ms. Adachi and Ms. Green both voiced opposition to options 1 and 2. Ms. Adachi moved to recommend FY17 municipal budget at 32,856,604 and option 4, Mr. Berry seconded. All Ayes (3-0).

**Selectmen's Business**

None

**Selectmen's Reports:**

None

**Consent Agenda**

None

Ms. Adachi moved to adjourn, Mr. Berry seconded, All Ayes (3-0)

Meeting Adjourned at 7:15 PM

Respectfully Submitted,

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Lisa Tomyl, Recording Secretary

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Janet Adachi, Clerk

## BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

February 11, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Peter J. Berry, Janet K. Adachi, Franny Osman, Chingsung Chang, Town Manager Steven Ledoux, and Lisa Tomyl, Recording Secretary

Chairman Green opened the meeting at 6:30 PM

This meeting was not recorded.

### **Citizens' Concerns**

MaryLou Miller – Patrick Henry Circle - concerned about the proposal for Senior Center on the town site on Arlington Street – mostly the environmental impact but also potential impact on taxes. Other people have similar concerns. The environmental impact should be brought up at Town meeting as well. Thinks special interest group and Director are behind proposal. Currently uses senior center and feels that it is adequate and meets her needs. Only inadequacy is that staff rooms are small. Vested interest in trying to keep taxes on her house as low as possible. Feels the proposed use of 300K out of general fund is a waste. Feels the Walker site is more suitable.

### **Chairman's Update and Operational Update:**

Ms. Green: Town offices closed 2/5, CPR AED training on 2/24 and 26 5-9 PM PSF, film at Memorial Library next Weds, 2/17, "Ed Wood," at 7 PM, and new food waste collection at transfer station,

Mr. Ledoux: Fire Department Chief will be retiring 3/4 - 27 years in Fire service and wish him well, Deputy Chief Hart will be acting chief and there will be a recruitment process for the Fire Chief's replacement. Mr. Ledoux is looking into the possibility of electrical aggregation for the Town. 2 union contracts, Patrol and Dispatch, settled, mirroring terms of Superiors contract last fall; only Fire union contract remains, current contract expires 2016.

### **Public Hearings and Appointments**

Site Plan Special Permit/Use Special Permit #12/14/15 – 460 – Ms. Green read the public hearing notice. Ms. Adachi gave a project overview and introduced the applicant's engineer, George Dimakarakos. Mr. Dimakarakos introduced the project and the applicant, Cynthia First.

Ms. Adachi asked if the applicant could provide a profile/side view of the proposed terracing. Mr. Dimakarakos said he could get such a plan and also confirmed that the applicant was hoping to have Concord water hook-up. –Ms. Osman expressed concern about the size of the houses and the closeness to each other and the lack of sidewalks, noted the comments from the Design Review Board about Board of Selectmen

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attached rather than detached homes. Mr. Dimakarakos explained that detached homes were necessary to be financially feasible, as there is a significant difference between what you can get for single-family vs. attached housing. There also is a demand for these types of houses.

Ms. Green agrees that there would be a benefit on having sidewalks rather than residents walking in the road in the development. Mr. Dimakarakos said there could be some expansion of sidewalk at the end of Wetherbee Road. Ms. Green said generally we ask that a portion of sidewalk to be built or for a contribution to the Sidewalk Fund. Happy to see a project like this proposed for East Acton Village. Mr. Bartl explained that that the existing sidewalks already in front of the project meet the requirements of the zoning bylaw; Town typically requires contributions to Sidewalk Fund if requirements not met on-site. But where applicant is open to installing sidewalks off-site, putting sidewalk on Wetherbee could be challenging. Sidewalks in the pocket neighborhood are not necessary because of the small, contained size of the neighborhood. Mr. Berry asked if the sidewalks in a residential neighborhood have to be ADA compliant; Mr. Dimakarakos said not in residential section but he would have to check the requirements for the connection from the residential neighborhood to the commercial/retail area.

Mary Lou Miller – the traffic on 2A keeps increasing. Does Acton have a right of way? Mr. Bartl explained that 2A is a state road and the town does not have control. Traffic regionally has declined by 10%.

Motion to close hearing, Ms. Osman seconded – All Ayes

Motion to approve site plan with the condition to address town staff comments except Engineering comment about sidewalk, Ms. Osman seconded, All Ayes.

Grant of Pole Location, Eversource – CC – move to approve grant of pole location, JA second all ayes. (5-0)

#### **Selectmen's Business**

Site Plan Special Permit Study Committee Presentation – Mr. Berry presented to the board findings from the SPSPSC. Purpose was to review whether SPSP should continue to be reviewed by BOS or should be moved to the Planning Board. Acton is the only town among its comparators that has the Selectmen review site plans, and is the only town that uses "special permit" label; also e one of only 3 Boards n the Commonwealth that review them. Zoning bylaw makes the BOS the review and approval board. Back when the Zoning Bylaw was passed it was mostly residential development and now it has reversed and more commercial development. The committee focused first on proposed zoning amendments for Kelly's Corner under which the master plan permitting would be a much more negotiated process. Mr. Berry recommends that Selectmen the proposal to have the Planning Board be the KC master plan site plan review board.. Do not need to take position now but will when the warrant article comes out. MaryLou Miller – asked whether, given positions of boards are all volunteer, town government is still viable situation. Ms. Green explained that the topic was not on agenda, so Board cannot discuss tonight.

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Selectmen Vote on Special Permit #09/11/15 – 459, 110 Grill, 252-256 Main Street- Ms. Adachi moved to approve Use Special Permit under existing zoning laws with a condition that permit is contingent on an approved site plan special permit, or such other permit that may be required under the proposed zoning, and condition to pay whatever sewer fees may be due, if any, at the time of building permit (engineering would have the number estimate), and standard boiler plate conditions and limitations regarding future amendments, compliance with all applicable laws and regulations, expiry date, appeals period, etc. – Mr. Chang seconded, All Ayes (5-0).

Ms. Adachi move to approve Use Special Permit under the proposed zoning for Kelly's Corner District as advertised laws with a condition that permit is contingent on an approved site plan special permit, or such other permit that may be required under the proposed zoning, and condition to pay whatever sewer fees may be due, if any, at the time of building permit (engineering would have the number estimate), and standard boiler plate conditions and limitations regarding future amendments, compliance with all applicable laws and regulations, expiry date, appeals period, etc. – Mr. Chang second, All Ayes (5-0).

Board to Accept Gift of 2 Modular Houses, Jay Redmond, Rex Lane – Jay Redmond offered 3 ranch houses, BOS felt comfortable with 2. Miracle League has raised funds for pouring foundations and moving the houses. Ms. Adachi moved to accept 2 of 3 houses, Mr. Berry seconded. All Ayes (5-0)

Selectmen to Discuss Sending Letter to Legislative Delegation Regarding Nagog Pond – with all the letters from abutters and also residents of Acton, Ms. Green wanted to reach out to the Board as to whether a letter should be drafted to out legislative delegation regarding the use of the Nagog Pond to get more information and to express the general concerns of the town getting the rights back to the pond from the 1884 law. Board members agreed with proposal. Mr. Ledoux and Ms. Green to work on it.

Selectmen to Discuss House Bill 3884 Additional Liquor Licenses – Town Meeting approved article authorizing Town's pursuit of special legislation seeking 16 additional all alcohol licenses and 6 beer and wine. Draft bill proposes a phased release of the licenses and allocation to specific areas of town. Less than half available in January 2018. Math was not right and end up giving us more than requested. Not concerned with splitting up the licenses by area of town but if licenses are assigned to particular licensing zones, then a license relinquished by an establishment that closes must stay in the same zone and does not go back into general license pool. Ms. Green said MA House counsel most likely drafted the bill. Board not in agreement with the legislative proposal to split the licenses among different zones.

Community Preservation Act Town Project Applications Vote of Priority – Board went through the Town applications and voted its priorities: .

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1. Recreation department – Miracle Field Sports Pavilion
2. Open Space Committee – Open Space Set Aside
3. Recreation Department – Skate Park Expansion Phase 2, Skate Plaza }  
3. Historic District Consultant }
4. Recreation Department – NARA Parking Control

**Selectmen's Reports:**

Selectmen Reports are included in the agenda packet on DocuShare. There were no questions.

**Consent Agenda**

Ms. Adachi moved to approve consent agenda items, Mr. Chang second. All Ayes (5-0)

Ms. Osman moved to adjourn, Mr. Chang seconded, all Ayes (5-0)

Respectfully Submitted,

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Lisa Tomyl, Recording Secretary

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Janet K. Adachi, Clerk

## BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

February 22, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Peter J. Berry, Janet K. Adachi, Franny Osman, Chingsung Chang, Town Manager Steven Ledoux, and Lisa Tomyl, Recording Secretary  
Chairman Green opened the meeting at 7:00 PM

### Citizens' Concerns

Ms. Osman reported that Crosstown Connect was applying for a state grant and wanted to know if the Board could write a letter of support. Ms. Green recommended that it be put on the next meeting agenda.

### Chairman's Update and Operational Update:

Ms. Green: Mass. Presidential Primary coming up on March 21<sup>st</sup> – make sure to get out and vote. League of Woman's Voter Civics Bee on 3/13 at 1:00, still looking for adult participants. Special Board meeting on April 11 for the continued hearing on Town of Concord site plan and use special permit applications for Nagog Pond water treatment facility.

Mr. Ledoux - No report

### Public Hearings and Appointments

Site Plan Special Permit/Use Special Permit #11/06/15 – 458 – Ms. Green read the public hearing notice. Steve Steinberg is the applicant, George Dimakarakos and colleague representing applicant's engineer, Stamski & McNarry. Mr. Steinberg presented the proposal for 267 Great Road. Noted that the development is not part of the Meadows development on the abutting property. The neighboring office building is complete and occupied by a longtime Acton firm. The only shared facility, covered by an easement agreement and with shared maintenance, is the end of Gabriel Lane providing access to and from 2A.

Mr. Steinberg explained plan updates and revisions in response to recommendations and requests of various town departments. House 1 is of reduced size in response to the Conservation Commission's request that the construction be outside of the 100' wetlands-protection buffer zone. Mr. Steinberg feels that the project will have minimal traffic impact at the intersection at the end of the Meadows development entrance. Mr. Dimakarakos presented and explained plans depicting the proposed Project. The Fire Department is satisfied with the access to and from the property. Traffic impact is minimal based on the traffic study done during an 8 hour period during a school week. Parents from the Meadows complex sometimes park to wait for the school bus at the end of Gabriel, which can cause a traffic backup, but the addition of a new access serving the new development could help to alleviate Board of Selectmen

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that problem. The hope is that Concord will provide water service; the former house on the property had Concord water service.

Ms. Osman asked how many of the Meadows houses are affordable. –Mr. Steinberg responded 7 out of 26.

Ms. Adachi expressed concern about the fact that the houses so close together and offered other comments regarding the overall design and plantings. Ms. Green said she always was surprised that people liked such density. Design fits in with the zoning bylaw. Ms. Osman would like to include in the decision a condition that there be a path kept up for entry into the Willow Books plaza, but not paved.

Resident, 17 Gabriel Lane –Would like shared maintenance of the shared portion of the road; also would like widening of the road to allow 2-way traffic near where the mailboxes are; and the 2 houses nearest Great Road, including the Begguses, would like to ensure that storm water doesn't flow from the new development over Gabriel Lane to their homes. Mr. Dimakarakos said 2 catch basins at the end of the new road would address the storm water issue; widening the road would entail a lot of work and expense, and could be difficult due to the limits on the opening onto Great Road.

Ms. Adachi asked if there were alternatives to road-widening; Mr. Dimakarakos said a narrower road would help to slow traffic, as would the addition of the new business and residences plus the vertical granite curbing that a car can't drive over easily. Resident, 11 Gabriel Lane, expressed concerns about the road width and alleged low traffic. Motion to close hearing, Mr. Berry seconded. All Ayes (5-0).

Mr. Berry moved to approve the application with conditions that the Sylvia Lane documents require shared maintenance of the easement area, such as snow removal, a natural path be maintained or constructed to provide access to the abutters, and a 10 foot landscape buffer as required by the Planning Department between the business and residential abutment. Ms. Osman seconded. All Ayes (5-0).

#### Concord Municipal Light and Power Electric and Telecommunication Duct Bank Installation, 37 Knox Trail

–The Director (Dave) and Assistant Director (Chris) from CMLP introduced themselves and provided a project overview. Concord plans to install 5 MW solar array on Concord-owned portion of former W.R. Grace land and needs to provide underground electrical and broadband connections. Standard construction to provide a duct installation that will be built along the property at 37 Knox Trail in both Acton and Concord.

Ms. Adachi asked if CMLP had run the project by Eversource to be sure there was no encroachment that might have an impact on Eversource's service agreement in Acton. CMLP conferred with its counsel, who assured it that the project was legal. Mr. Berry asked if CMLP was a broadband provider. Yes, fiber optic for the residents and businesses in Concord. Mr. Berry asked if CMLP had been before Concord Conservation Commission. Will meet with them tomorrow. They currently are not in violations of any zoning.

Ms. Green asked if the duct bank was going to be providing service where the bus parking will be. Yes, we designed the duct banks for future plans as well.

Ms. Osman moved to approve the plan at 37 Knox Trail, Mr. Berry seconded. All Ayes (5-0).

Community Preservation Act Study Report – Mr. Berry presented the CPA study committee report and the Committee's findings. The study committee considered and rejected a "blended" system, such as Littleton's which uses cell-tower revenues, or increasing the minimum 10% annual allocations for community housing, historic preservation and open space, which adversely affect bonding. The study committee ultimately decided to recommend that the Town consider for a future Town Meeting, possibly in fall 2016, increasing the current 1.5% surcharge to 3%; the surcharge increase would require not only Town Meeting approval but a ballot vote approval, and advocacy probably would have to be by citizens who weren't public officials. With the increase to 3%, Acton would be eligible for additional state matching funds in the 2<sup>nd</sup> and 3<sup>rd</sup> rounds, though those rounds are geared toward poorer, smaller communities, which Acton is not. But still could mean 30% state match and a good return on Acton's funds .

Walter Foster – commended Mr. Berry as committee chairman for the hard work and support. This is the best program for the Town largely to promote to protect open space, and affordable housing. Ms. Green also thanked Mr. Berry for all his hard work with the CPC Committee.

#### **Selectmen's Business**

Green Advisory Board Charge Restructure - Mr. Berry has been GAB liaison for 2 years and encouraged the committee to broaden its charge. He read the proposed revised charge . The changes are in the first 2 sentences. – Ms. Adachi moved to approve the amended charge, Ms. Osman seconded. All Ayes (5-0).

ALG Update – Mr. Ledoux presented the ALG update regarding the FY17 Budget. The earlier ALG plan provided for the use of 2.7M in reserves. The schools then lowered their budget by 300K, representing savings due to the Health Insurance Trust reduction in projected increases from 8% to 4%. Finance Committee representatives proposed 1M in free cash, 500K reduction in tax levy and 1.3M in cuts from the municipal and schools budgets combined; representatives of the 2 entities balked. The School Committee voted its budget, with the Acton assessment unchanged at 55.5M from earlier numbers. The Finance Committee chairman then emailed Ms. Green, proposing that if the Town cut \$200,000, that would satisfy FinComm. Then the proposal was pulled back. In the meantime, Mr. Ledoux is looking at options to cut \$200,000 in budget. The Board agreed that cutting Town Hall painting and the bike trail study, together 222K, would be the best option. Board members also noted that the Town's share of the cuts should be 125K reflecting the Town's 1/3 of the budget and in proper proportion to the 300K the schools are cutting from 2/3 of the budget.

Selectmen to take positions on Warrant Articles – Selectmen voted on consent items and will take up positions at the March 7, 2016 meeting. Mr. Berry moved to recommend consent items K-R, Ms. Osman seconded. All Ayes (5-0). Ms. Green moved to approve consent items ZE – ZJ, Mr. Berry seconded. All Ayes (5-0).

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**Selectmen's Reports:**

Selectmen Reports are included in the agenda packet on docushare. There were no questions.

**Consent Agenda**

Ms. Osman moved to approve consent agenda items 7-18, Mr. Chang second. All Ayes (5-0)

Ms. Adachi moved to adjourn, Ms. Osman seconded, all Ayes (5-0).

Respectfully Submitted,

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Lisa Tomyl, Recording Secretary

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Janet K. Adachi, Clerk