

SPECIAL BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

July 18, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

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

Chairman Berry opened the meeting at 7:00 PM, Ms. Osman arrived at 7:04

Public Hearings and Appointments

Site Plan Special Permit/Use Special Permit #11-15-2015 – 459 – Petitioner has requested a continuance to September 12. Mr. Berry requested to have the updated plans two weeks prior to the September 12 hearing for ample time for staff to review and comment. Ms. Green moved to approve, Ms. Adachi seconded. All Ayes (4-0)

Consent Agenda

Ms. Adachi moved to approve consent items, Ms. Green seconded. Ms. Adachi to attend the Eagle Scout Court of Honor. All Ayes (5-0)

Ms. Adachi moved to adjourn, Ms. Green seconded. All Ayes (5-0). Meeting adjourned at 7:10 PM.

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Franny Osman, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

June 20, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

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

Absent: Franny Osman

Chairman Berry opened the meeting at 7:00 PM

Mr. Berry led the audience in the recitation of the Pledge of Allegiance

Citizens' Concerns

Mary Lynn Miller – 5 Patrick Henry Circle – Mary Lynn said she was interested in the next steps in the Senior Center lease process. Mr. Ledoux stated the town put out an RFP to lease space and received 3 responses, which they will review first to see if they meet the criteria listed in the RFP and then also to see which is in the best interest of the Town. The Committee he put together to review the RFP must look at the benefits of the space provided and then after, they will look at a sealed monetary bid for the proposals. Ms. Miller asked if town funds were already committed for this lease. Mr. Ledoux said that the Town Meeting just approved the Town Manager and Board of Selectmen to issue an RFP and we would have to go to Town Meeting to seek appropriation for any funding toward a lease.

Chairman's Update and Operational Update:

Mr. Berry – The Independence Day Celebration is coming up on Saturday 7/2 and will feature the Baja Brothers with fireworks at 9:30. Mr. Berry encouraged the use of the free shuttle to facilitate parking. On 7/18, the Board of Selectmen will hold a special meeting for the continued hearing on the Concord Water Treatment Plant proposal. The Board of Selectmen held their Goal Setting meeting on 6/8 to discuss both Short and long Term Goals. These are on the agenda tonight for final discussion and vote. We received a letter from MassDOT regarding Kelley's Corner infrastructure funding. We will be discussing the future of the Kelley's Corner Steering Committee on later tonight. Mr. Berry added that the Town cannot continue to operate without the service of our volunteer citizens to ensure the town runs as it's supposed to, so the Board urges citizens to get involved on one of the many committees – democracy needs you.

Mr. Ledoux - Dick Calandrella passed away this morning. He was a 40 year resident in town and very active in many committees. He will be missed by many in town. The Finance Association Members of America have awarded our town a Certificate of Excellence in Financial Reporting based on the town's FY15 audit submission. This is a significant accomplishment by our finance department. We are entering into a contract with Peregrine for electrical aggregation and on July 11th, we will have a public hearing on a draft aggregation plan.

Public Hearings and Appointments

7:10 PM – Common Victualler, Ginger Court – Mr. Berry read the public hearing notice. Present representing Ginger Court is Po Pai, owner/manager. Ms. Adachi asked if this was the same Ginger Court that was previously on Great Road. Mr. Pai acknowledged that it was. She then brought up the issue of needing approval from the Planning Department for their sign. Mr. Pai said they had submitted an application for the sign today. Ms. Green moved to approve the application for Ginger Court for a common victualler license, Mr. Chang seconded. All Ayes 4-0.

7:15 PM – South Acton Train Station Meter Rate Increase – Mr. Berry introduced the South Acton Train Station (SATS) meter rate increase proposal. He outlined a letter from the South Acton Train Station Advisory Committee (SATSAC) recommending a meter rate increase. Several points were mentioned from the letter regarding the reasoning behind the proposal and SATSAC's opinion, including comparative prices with surrounding towns. Ms. Green said she accepts the recommendation of SATSAC's recommendation to increase the parking meter rates. Ms. Adachi said she is inclined to adopt the recommendation of SATSAC and Mr. Chang added that he agrees with SATSAC's recommendation. Ms. Green noted that the resident sticker is significantly reduced compared to the non-resident daily rates. Mr. Berry said he supports the recommendation of the SATSAC.

Shuyu Lee member of Finance Committee – questioned if the commuter lot parking fund was an enterprise fund. Mr. Ledoux said it is not an enterprise fund in the traditional sense as the use of the funds are governed under state law. Mr. Lee asked who will cover maintenance at the lot. Mr. York explained that arrangement will continue as it is now with the town maintaining the parking lot and the MBTA maintaining the tracks and station. The proposed fee increase will make the fund more self-sustaining and better allow for that maintenance. Mr. Lee asked about any capital improvement in the FY17 budget. Mr. York explained that there was funding for a landscaping plan and that proposals to fund landscaping would follow that. Mr. Lee asked if the town was pursuing additional parking. Mr. Berry said the town continues to look at opportunities for additional parking. Mr. Lee asked if we would adjust our prices if other towns adjust their parking prices. Ms. Green stated that we (BOS) cannot include a prohibition on another rate increase for the next 5 years as there could be a totally new board, but we could recommend that as part of our vote tonight.

David Martin, Chair of SATSAC said that the current rates cannot cover the maintenance of the parking lots now and addressed comments on expanding the number of resident stickers and the impact that would have on the revenue of the lot and the ability to fund ongoing maintenance.

Ms. Green moved to approve the recommended increase to parking rates as outlined in the Town Engineer's memo with the recommendation to not increase the rates for 5 years, Ms. Adachi, seconded. All Ayes, all ayes (4-0)

Selectmen's Business

Committee Reappointments – Ms. Green moved to approve committee appointments, Ms. Adachi – seconded. All Ayes (4-0)

Discussion Regarding a Selectmen Cable TV Show – Mr. Berry explained that one of the Board of Selectmen's goals is to increase communication with the public. With that in mind, he is suggesting that the Board of Selectmen host a show on Acton TV every week prior to a Selectmen's meeting. He

introduced Marc Duci, Executive Director, Acton TV. Mr. Duci spoke briefly regarding Acton TV and who they are and what they do. They have 3 channels – Public Access (programs created by the general public), Education (anything with an educational aspect), and Government (anything regarding events that are happening in town – committee meetings, town events, etc.). Mr. Berry suggested that the Selectmen do a taped show every other week with a Board member for about 30 minutes to talk about what is coming up on next week’s agenda. The Selectmen would rotate who hosts each show. Mr. Duci said that they liked the idea and suggested having a twitter account so people could send in their questions for the Selectmen to answer while on the air (as a taped program). Ms. Green thanked Mr. Berry and Mr. Duci for this idea. She asked that we include an email option for the questions as well as Twitter as many people who watch Acton TV and who attend our meetings are not familiar with Twitter. Mr. Chang agrees it’s a great idea and is supportive of the idea. Ms. Adachi thinks it a very good idea to provide a conversational feedback to the general public. Mr. Duci inquired about when to start. Mr. Berry feels there is no need to wait to start. Next meeting is July 11 so we could have the first show on July 7th. Charlie Kadlec suggested that the taping be available on the www.actontv.org as well. Mr. Duci agreed and said they would get the taped shows on the website as quickly as possible after taping.

Next Steps for Morrison Farmhouse – Mr. Berry made a statement that “no decision is a decision” with regards to the Morrison Farmhouse. He feels that we need to talk about process to get to a place where we get a consensus on what to do with the house moving forward. Mr. Ledoux gave a brief overview of the history of the plans for the farmhouse. Ms. Green, as liaison to Morrison Farm Committee, explained that the Committee had voted to recommend demolishing the house, however other committees and residents have spoken up in opposition to that suggestion. Ms. Green recommends that the Board of Selectmen send out an email to all boards and committees to seek input on what to do with the farmhouse. We can then schedule a discussion on that input at a future BOS meeting. If people feel that public forum is appropriate that could be done as well. Ms. Adachi agrees with getting feedback from all boards and committees. Mr. Chang inquired about the structure of the barn and what the purpose of preserving the barn was. Mr. Berry said he was in favor of a public forum after Labor Day and he supports sending out an email to all boards and committees.

Doug Tindal, member of Morrison Farmhouse Committee – said that the committee has struggled to make the best possible plan for the Morrison property. The committee came to the agreement that the house “needs to go”.

Ann Chang, member of the Morrison Farmhouse Committee commented that she is not feeling that a forum would be appropriate.

Mr. Berry recommended sending out an email to all Boards and Committees and scheduling a public forum outside of regular meeting date for in early September. The Board agreed.

Kelley’s Corner Steering Committee Future Role - Mr. Berry said that there had been some discussion about the Kelley’s Corner Steering Committee dissolving after Town Meeting rejected the Kelley’s Corner zoning warrant article. Mr. Berry feels the Steering Committee should continue though and wanted to discuss possible future roles for that Committee. Ms. Adachi feels as though we should revisit the issue and analyze what went wrong. Ms. Green would prefer that the Board refers back to

the Steering Committee on how they would like to proceed and if they would like to revitalize their charge. Mr. Chang agrees. Mr. Berry will attend the next meeting and advise that the Board supports their work and their discussions on next steps and their future role.

Board to Award a Bond Bid for Wright Hill and Miscellaneous Equipment – Stephen Barrett, Finance Director, presented a bond award for Wright Hill and Miscellaneous Equipment. He explained that we would receive a blended interest rate of 1.44% and he noted that the Town’s bond traded well in the AAA bond market rate. Ms. Adachi moved to approve the sale of \$1,854,040 of General obligation, Ms. Green seconded. All ayes (4-0).

Town Manager Contract - Mr. Chang moved to approve the Town Manager’s contract, Ms. Adachi seconded. All Ayes (4-0)

Acton Nursing Services Task Force - Ms. Green explained that the committee’s charge has expired but they still have work to do finishing up their final report to the Board of Selectmen. Ms. Green’s recommendation is to extend the charge of the task force until the final report is presented to the Board of Selectmen. The Board agreed to that proposal. Ms. Green moved to extend the charge of the Acton Nursing Services Task Force until they present their final report to the Board of Selectmen, Mr. Change seconded. All ayes (4-0).

Ratify Goals and Liaison Assignments – Mr. Berry read the goals but deferred the vote on them until the next BOS meeting when the entire Board would be present.

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 items 11-24, Ms. Green seconded. All Ayes (4-0)

Ms. Adachi moved to adjourn. Ms. Green seconded. All Ayes. Meeting adjourned at 9:30 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Katie Green, Acting Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

June 6, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Janet K. Adachi, Franny Osman, Katie Green, Chingsung Chang, Town Manager Steven Ledoux, Lisa Tomyl and Shannon Hurley, Recording Secretaries

Absent: Peter J. Berry

Ms. Adachi opened the meeting at 7:00 PM

Ms. Osman arrived at 7:04 PM

Citizens' Concerns

None

Chairman's Update and Operational Update:

Ms. Adachi –Nice Memorial Day observance, and a very moving experience, attended by Peter Berry, Ms. Adachi and Franny Osman. ABRHS graduation June 3rd. Attended by Ms. Osman and Ms. Adachi. Planning Board hearing tomorrow about proposed public shade tree removal for pending sidewalk installation. League of Woman Voters meeting at Bella Famiglia. 100 year celebration of Boy Scouting in Acton ceremony at NARA Park on June 12th. Screening of a 2009 documentary titled "Shooting Beauty" at the Maynard Fine Arts Theater on June 13th at 6:30pm sponsored by the Girl Scout Troop 7586 who also participated in a mock Board of Selectmen hearing to help earn their government badge. ABUW will hold their annual meeting on June 14th at WAVV Gallery. Proposed parking fee increases SATSAC has been publicly advertising the proposed fee increases and held a public forum as well. SATSAC voted to approve the fee increase at their meeting on May 26th. BOS will be discussing the fee increases at the next meeting on June 20th. Visit the Town Website with the SATSAC recommendation and additional information as well.

Mr. Ledoux - Last Wednesday, bidding. No reason to lose AAA rating. Harris Street property signed by the Governor, waiting for a closing date. Production company is interested in using the property on Harris Street to film the movie Supertroopers 2, they would need about three weeks of filming time. Medicinal Marijuana coming in a week from tomorrow for a meeting with Town Manager.

Public Hearings and Appointments

SPSP #04/22/2016 – 462, 429 Great Road, Property Redevelopment - Ms. Adachi read the public hearing notice. Ms. Green explains the Site Plan Special Permit. George Dimikrakos (Stamski & McNarry) proposes the removal of the old Pegasus Tack Shop (cleared property 6/6/2016), and build a 8,800 square foot building to redevelop the property into an automobile sales and service center. The new building is set back further than the old building giving more street view. Mr. Dimikrakos stated the maximum amount of parking spots is 16. All parking spots will be located below the building (underground). There is bicycle parking and handicap parking. There will be an elevator inside of the building for ADA compliance. There was an indication from DRB that they did not like the concrete on

the outside of the building. The new building will be brought up to keep the concrete 2-3. Landscape will be dense on the apartment building side.. The Board of Health has approved the septic system plans. Ms. Osman asked about the second entrance that DRB was concerned about. Mr. Dimikrakos revealed that their plans show that they complied with DRB's request to only show 2-2 ½ feet of concrete exposure. The septic system drives the condition of the grade of the land.

Ms. Adachi would like Mr. Dimikrakos to go back to the advisory board to present the plan design.

No questions from BOS or audience.

Ms. Green recommends to close the hearing tonight and to bring the revised plans back to DRB to consult with them about their revisions. Some comments from Engineering about draining problems but those are being looked at. Add it to the list of conditions. Ms. Green moved to approve the the draft decision as written by the Planning Department on the condition to bring the revised plans back to the DRB for review and to consult about the revisions, Ms. Adachi seconded. All Ayes (4-0),

Alleged Over Service, Makaha Restaurant – Ms. Adachi read the public hearing notice. Representing Makaha restaurant was Mr. Raymond Cheng, representing Acton Police Department was Deputy Chief Richard Burrows, James Cogan, Fred Rentschler and Douglas Mahoney, arresting officer. Ms. Adachi read a statement from the Chair. Ms. Osman swore in Office Douglas Mahoney as a witness.

No questions from the board.

First we knew about DUI - April 2016

James Cogan went to Makaha after the incident

Ms. Osman asks purpose of this hearing and why the Board has not heard anything about this incident.

Ms. Green asks to hear from the Licensee, Mr. Raymond Cheng. Ms. Osman swore in Mr. Cheng. Mr. Cheng stated that on the last Sunday of every month, the management holds service of alcoholic beverage training for their employees. Approximately 2:30pm on March 5, 2015, 3 people consumed a total of 8 mai tais, and food. Around 4:00-4:30pm, one patron asks to leave car as he did not feel as though he should drive and called his mother to come to bring them home. The bill was paid at 4:34pm. According to the Police report, the arrest occurred at 6:34pm.

Ms. Green states that she feels that there is no proof of over service at the Makaha in part due to the time gap.

No further questions from the Board.

Anthony Cardello is sworn in to speak in defense of the Makaha.

Ms. Green moved to find no violation of the liquor license, Mr. Chang seconded. All Ayes (4-0)

Mr. Cheng spoke about how this has affected his business; he does not want people to drive and has spent over \$15,000 for lawyers in order to face the Board.

Selectmen's Business

Recommendation on Electric Aggregation Consulting Firm – Mr. Ledoux - Approved at Town Meeting to move to an Electrical Aggregation plan.. Consulting firm will work with town and hold the bids, analyze, and education. The May 11th review committee consisting of Mary Smith - GAB, Steve Long - Green Acton, Andrea Ristine – Municipal Properties, Matthew Selby – Land Use and Economic Development Director,, and Steve Ledoux. Interviewed 3 firms and last Wednesday evening reviewed notes and references, talked to Town Managers that utilized firms of all 3 companies. All are good and confident, and all the Town Managers that were consulted spoke highly of the firms. Colonial Power Group, Good Energy, and Paragreen Energy group were interviewed. All 5 ranked Paragreen with #1, Colonial Power Group #2, and Good Energy #3. President is the former commissioner of energy, process of going through DPU. Jon Shortsleeve was one of the leading components for buying streetlights for municipalities to cut cost. Community outreach can be geared towards the non-english speaking clients. Mr. Ledoux asks board for recommendation to go forward and make a deal. Ms. Green asks if the Town would be selecting the

Mr. Ledoux explains that there could be 3 options. One would be default, one partially green, and one more green. Depending on what the consultant and board decide. Ms. Adachi asks when this would be going to happen. Mr. Ledoux states the goal is to have bids out for November to get the rate lock for the winter. No further questions from the Board. Ms. Green moves to authorize Electric Aggregation – Ms. Osman seconded. All Ayes (4-0)

Selectmen to Discuss Calling for Special Town Meeting, October 5, 2016 – Mr. Ledoux discussed about an article to increase the CPA surcharge article to bring to a Special Town Meeting. Only location available for the Special Town Meeting is at the upper field house at the High School. Many conflicts bring it down to two days Wednesday, October 5, 2016 and October 13, 2016. Ms. Adachi asks Mr. Ledoux to explain accepting proposals for a lease for Senior Center - bids are due on June 16th.. Possible warrant articles will be a current tentative agreement on fire contract, union has not ratified yet, Town starting ALS – need to give a 6 month notice to CMERA, and appropriations for a building lease for the Senior Center. Question from Mr. Chang, he does not see a need to do another special town meeting for a light agenda. Ms. Green disagrees; she believes there are enough pressing issues.

Ms. Green moves to call for a Special Town Meeting on October 5, 2016, Ms. Osman seconds. 3 Ayes, 1 Nay (Mr. Chang)

Selectmen's Reports:

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

Consent Agenda

Ms. Green moved to consent items 5-15, Mr. Chang seconds, All Ayes (4-0)

Ms. Green moved to adjourn, Ms. seconded. All ayes (4-0)

Respectfully Submitted,

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Lisa Tomy, Recording Secretary

Frances J. Osman, Clerk