

## BOARD OF SELECTMEN AND SEWER COMMISIONER'S MEETING

September 22, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 p.m.

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman; Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary

Chairman Gowing opened the meeting at 7:00 p.m.

### Citizens' Concerns

None

**Chairman's Update and Operational Update:** Mr. Gowing – October 4<sup>th</sup> 2 events – West Acton Fall Frolic replacing Octoberfest, Iron Works Farm Open Tap Room. Spruce Street Café has closed. Series on "Clutter" at the Acton Senior Center. Transportation Seminar to be held at Ft. Devens October 2<sup>nd</sup>. Minuteman Capitol Project Committee cannot have school committee member serve on the committee – would like to have a FinCom member serve on the committee. Mr. Ledoux – attended international city manager convention – 100<sup>th</sup> anniversary as an organization in Charlotte, NC. Land Use staff well situated at 33 Nagog – ice cream social to be held Tuesday, Sept. 23 for all employees. Mark Barbadoro has resigned and will be taking the Building Commissioner position in Oak Bluffs, Martha's Vineyard. Sept 30 the Board and TM office are serving lunch at the Senior Center.

### Public Hearings and Appointments

7:10 p.m. **Use Special Permit #07/30/14 – 452, 457 Great Road, Reduced Parking** – Mr. Gowing read the public hearing notice. Applicant has requested an extension of time to October 6, 2014. Ms. Adachi moved to continue hearing to October 6, 2014

Ms. Green – second the motion

All Ayes – UNANIMOUS VOTE

7:20 p.m. **Use Special Permit #10/11/13 – 445, 848 Main Street, Auditory Engineer Report:** - Mr. Gowing read the public hearing notice. Applicant has requested to withdraw application.

Mr. Berry moved to accept the request from the applicant to withdraw application without prejudice, Ms. Green seconded the motion

All AYES - UNANIMOUS VOTE

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7:25 p.m. **Site Plan Special Permit #07/03/14 – 450, 37 Knox Trail, Driveway Expansion, continued from September 8, 2014** – Mr. Gowing read the public hearing notice. Mr. Berry is the Selectmen assigned to the site plan. The original application was to park school buses and to create an easement access to reconfigure the parking lot and driveway. Approximately 26 busses to be placed there with a traffic study included in original application. The property is an office building and the Town of Concord was not going to utilize the building. New information from counsel from Town of Concord now seeking to utilize the office building and do not want to park buses at Knox Trail.

Mark Brobrowski – Counsel for the Town of Concord, Chris Whelan – Town Manager Town of Concord and Nitsch Engineering gave a general overview of the site plan with more extensive detail given by Nitsch Engineering.

Water Commissioner spoke regarding concerns regarding the plans at 37 Knox Trail.

Citizen Jim Snyder-Grant concerns regarding the property and water concerns. Corey York, DPW/Engineering Director commented on the concerns of the Engineering Department regarding storm water runoff.

Ms. Green suggested that the Acton Water District and Town Engineers need to further study and comment and make recommendation regarding water quality.

Ms. Green moved to continue to October 6 at 7:55

Ms. Adachi seconded the motion

All Ayes

UNANIMOUS VOTE

7:35 p.m. **Liquor License Transfer, Great Road Seafood Sales:** Mr. Gowing read the public hearing notice.

Ms. Green moved to approve transfer of liquor license

Ms. Adachi second

All Ayes

UNANIMOUS VOTE.

7:40 p.m. **Traffic Rules and Order Policy, Mailbox Replacement Policy, Private Way Plowing Program, Corey York, DPW/Engineering Director:** Corey presented an overview of the Traffic Rules and Orders – looking to adopt the changes and updates since the late 60's and 70's.

Ms. Green moved to approve the Traffic Rules and Order Policy with correction of the typos in document

Ms. Adachi second

All Ayes

UNANIMOUS VOTE

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Mr. York continued the discussion in regards to the mailbox replacement policy.

Ms. Green moved to approve the Mailbox Replacement Policy and lower reimbursement to be capped at \$100 vs. the \$200 listed in the Mailbox Replacement Policy

Ms. Osman seconded

All Ayes

UNANIMOUS VOTE

Mr. York continued the discussion in regards to the Private Way Plowing Program.

Ms. Green moved to approve private way plowing program

Ms. Adachi seconded the motion

All Ayes

UNANIMOUS VOTE

**Selectmen's Business**

**Pay As You Throw Program, Corey York**— Mr. York continued with an overview of the Pay As You Throw Program at the Recycling Center, Transfer Station and (Swap Shed?) (also known as Save Money and Reduce Trash).

Ms. Green and Ms. Adachi brought up 2 different size bags to accommodate households that do not produce as much trash a larger family would produce. TM Ledoux strongly believes that the town should take the time to fully educate the general public regarding this program. Mr. York is looking for approval from the Board if the Town wants to move forward with this type of program.

Ms. Osman moved to ask town staff to develop a warrant for Town Meeting and develop an educational training for the general public

Ms. Adachi seconded the motion

All Ayes

UNANIMOUS VOTE

**Acton Community Housing Committee, Housing Production Plan** – Nancy Tavernier gave an overview of the Housing Production Plan.

**Discussion on Acton Nursing Service Options** - Doug Halley presented and explained his memo regarding the Acton Nursing Service, and recommendation of warrant article for vote at the Special Town Meeting.

Steve Noone reviewed the FinCom recommendations and did not recommend continuing with the Enterprise Fund for the Nursing Service. Several residents spoke in favor of the nursing service, and encouraged to have the warrant article be sent to Town Meeting for the residents to vote on. Ms. Green recommends closing the enterprise fund and putting it in the operating budget.

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Ms. Osman agrees to move the service from enterprise to operating budget

Mr. Berry agrees to go to town meeting and move the service from enterprise to operating budget

Ms. Adachi spoke as the voice of residents who have not utilized the service nor do not want taxes raised. Suggested that her decision is to go to the Navigator Service option

Ms. Green voted to have an article that moves ANS from the enterprise fund to the operating fund

Ms. Green voted to go to the Special Town Meeting with two warrant articles. Article 1 would dissolve the enterprise fund – if voters vote yes, then move to article 2 – motion to move the enterprise fund into the general fund FY16 (shut down the Nursing funding). If voters vote no on article 1 then move to the Health Navigator. If no on that, then article 3 – dissolve the service

Ms. Green - Motion to move to recommend Town Manager put together 3 warrant articles.

Ms. Osman seconded

4 Ayes, 1 Nay (Ms. Adachi)

Motion passes.

**Vote on Special Town Meeting, November 12, 13, 2014** – Ms. Adachi moved to have Special Town Meeting , Ms. Osman seconded

All Ayes – UNANIMOUS VOTE

**Selectmen's Reports:**

The Selectmen Reports were withheld and will be reviewed at the October 6, 2014 regular meeting.

**Consent Agenda**

Mr. Berry moved to continue item 13 to October 6, 2014 meeting to get corporate vote from Wine-Cask Cellar (missing from application)

Ms. Green seconded

All Ayes -

Ms. Green moved to approve consent items 10-12, 14-23.Ms. Osman seconded.

All Ayes

UNANIMOUS VOTE

Item 22. Cremation plot price change (no increase) -

Item 23 Disclosure of Conflict of Interest -

Ms. Green moved to adjourn, Mr. Berry seconded

FINAL

Meeting adjourned at: 11:45 PM

Respectfully submitted,

Lisa Tomyl  
Lisa Tomyl, Recording Secretary

  
Peter Berry, Clerk

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## Agenda

Properties

Type	Title	Owner	Edited	Size	Actions
	010 Agenda, Board of Selectmen, September 22, 2014	manager	09/18/14	82 KB	
	020 (1) Use Special Permit #07-30-14 - 452, 457 Great Road, Reduced Parking	manager	09/18/14	730 KB	
	030 (2) Use Special Permit #10-11-13 - 445, 848 Main Street, Auditor Engineer Report	manager	09/18/14	590 KB	
	040 (3) Site Plan Special Permit #07-03-14 - 450, 37 Knox Trail, Driveway Expansion	manager	09/18/14	4 MB	
	041 (3) Site Plan Special Permit #07-03-14 - 450, Concord Town Counsel Letter	manager	09/18/14	44 KB	
	050 (4) Liquor License Transfer, Great Road Seafood Sales	manager	09/18/14	3 MB	
	060 (5) Traffic Rules and Order Policy, Mailbox Replacement Policy, Private Way Plowing Program	manager	09/18/14	312 KB	
	061 (5) Traffic Rules and Orders Policy	manager	09/18/14	284 KB	
	070 (6) Pay As You Throw Program	manager	09/18/14	2 MB	
	080 (7) Acton Community Housing Committee, Housing Production Plan	manager	09/18/14	180 KB	
	090 (9) Special Town Meeting Item, Acton Nursing Service	manager	09/18/14	3 MB	
	100 (10) Authorization of Alcoholic Beverages at Retail Package Stores, Sunday Hours, Elm Associates	manager	09/18/14	172 KB	
	110 (11) Authorization of Sale of Alcoholic Beverages, Sunday Hours, Donelan's Supermarkets, Inc.	manager	09/18/14	87 KB	
	120 (12) Authorization of Sales of Alcoholic Beverages at Retail Packet Stores, Sunday Hours, Liquor Outlet, Inc.	manager	09/18/14	187 KB	
	130 (13) Authorization of Alcoholic Beverages at Retail Package Stores, Sunday Hours, Wine-Cask Cellars, Inc.	manager	09/18/14	69 KB	
	140 (14) Request for Special Extend of Hours of Operation, Red Raven Gastropub	manager	09/18/14	54 KB	
	150 (15) One Day Alcoholic Beverage License, Iron Work Farm in Acton, Inc.	manager	09/18/14	133 KB	
	160 (16) One Day Alcoholic Beverage Licesne, Wendy Dicks, Exchange Hall	manager	09/18/14	89 KB	

<a href="#"></a>	170 (17) Tree Donation Request, Cemetery Department	manager	09/18/14	28 KB	<a href="#"></a> <a href="#"></a> <a href="#"></a> <a href="#"></a>
<a href="#"></a>	180 (19) Committee Appointment, Herman Kabakoff, South Acton Train Station Advisory Committee	manager	09/18/14	60 KB	<a href="#"></a> <a href="#"></a> <a href="#"></a> <a href="#"></a>
<a href="#"></a>	190 (20) Nomination of the Nashoba Brook Pencil Factory for the National Register	manager	09/18/14	3 MB	<a href="#"></a> <a href="#"></a> <a href="#"></a> <a href="#"></a>
<a href="#"></a>	200 (21) Accept Gift, Recreation Department	manager	09/18/14	77 KB	<a href="#"></a> <a href="#"></a> <a href="#"></a> <a href="#"></a>
<a href="#"></a>	210 (22) Request For Disposal of Obsolete Items, Acton Memorial Library	manager	09/18/14	27 KB	<a href="#"></a> <a href="#"></a> <a href="#"></a> <a href="#"></a>

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