

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

December 15, 2008
Acton Town Hall, Francis Faulkner Hearing Room
7:00 P.M.

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

CITIZENS' CONCERNS

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

OPERATIONAL MINUTE

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

CHAIRPERSON'S REPORT

Lauren thanked Town staff for the clean up.

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

SELECTMEN'S REPORTS

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

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

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

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

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

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

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

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

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

Peter noted the meeting regarding saving Exchange Hall.

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

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

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

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

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

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

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

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

PUBLIC HEARINGS & APPOINTMENTS

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

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

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

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

Lauren thanked staff for the work on the presentation.

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

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

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

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

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

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

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

ALG Discussion

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

Terra requested the budget to be provided in Excell.

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

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

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

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

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

NOT YOUR AVERAGE JOE'S MANAGER CHANGE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HEALTH INSURANCE TRUST

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

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

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

PARKING GARAGE COMMITTEE DRAFT CHARGE

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

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

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

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

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

TRENCH FEES

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

SELECTMEN'S BUSINESS

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

OTHER BUSINESS

None

CONSENT

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

Class I and II Car Dealer Licenses.

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

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

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

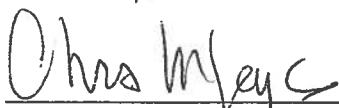
All other Class I and II Licenses without problems or holds are renewed for 2009.

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

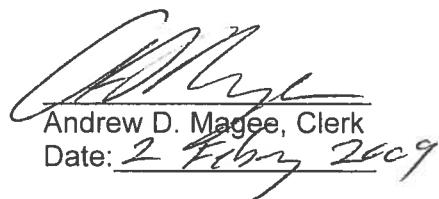
ANDREW MAGEE – Moved to Grant extensions to Jan 31, 2009, for Licenses not in compliance to come into Compliance. PAULINA KNIBBE - second, UNANIMOUS

EXECUTIVE SESSION

None Required



Christine Joyce, Recording Secty



Andrew D. Magee, Clerk

Date: 2 February 2009

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

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

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 CHAIRMAN'S UPDATE

The Chair will briefly update the Board on Topics of interest

2. 7:10 OPERATIONAL MINUTE

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

3. 7:15 SELECTMEN'S REPORTS

Reports of Board Members

4. 7:30 TOWN MANAGER'S BUDGET PRESENTATION

ISSUE: The Town Manager will present his Budget

5. 8:30 NOT YOUR AVERAGE JOE'S CHANGE OF LIQUOR MANAGER

ISSUE: Request for Change in Liquor Manager. Enclosed please find materials in the subject regard, for Board consideration

**6. 8:40 88 CHAMPS, LLC, SITE PLAN SPECIAL PERMIT #10/2/08-416,
525 MAIN STREET**

ISSUE: Continued Site Plan hearing from November 17 & December 1, 2008. Enclosed please find materials in the subject regard, for Board consideration

III. SELECTMEN'S BUSINESS

7. ALG UPDATE

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

8. HEALTH INSURANCE TRUST

No Materials Enclosed

9. DRAFT CHARGE, SOUTH ACTON PARKING LOT

Selectman Berry will discuss his Draft Charge with the Board

10. FEE APPROVAL, TRENCH PERMIT FEES AND FINES

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

11. OTHER BUSINESS

IV. CONSENT AGENDA

12. ACCEPT GIFT, COUNCIL ON AGING

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

13. ACCEPT GIFT, RECREATION DEPARTMENT

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

14. ACCEPT GIFT, RECREATION DEPARTMENT

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

15. ACCEPT GIFT, RECREATION DEPARTMENT

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

16. ACCEPT GIFT, RECREATION DEPARTMENT

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

17. ACCEPT GIFT, RECREATION DEPARTMENT

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

18. ACCEPT GIFT, RECREATION DEPARTMENT

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

19. ACCEPT GIFT, RECREATION DEPARTMENT

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

20. ACCEPT GIFT, POLICE DEPARTMENT

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

21. COMMITTEE APPOINTMENT, ACTON COMMUNITY HOUSING CORPORATION, MR. BOB VAN METER, TERM, EXPIRE 6/30/20010

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

22. **COMMITTEE APPOINTMENT, ACTON BOXBORO CULTURAL COUNCIL, GREGORY HUTCHINS, TO FILL LINDA ZHU'S UNEXPIRED TERM TO 6/30/09**
Enclosed please find materials in the subject regard for Board consideration
23. **DISPOSAL OF OBSOLETE MATERIALS, ACTON MEMORIAL LIBRARY**
Enclosed please find materials in the subject regard, for Board consideration
24. **CLASS I & II CAR DEALER LICENSE 2009 RENEWAL**
Enclosed please find materials in the subject regard, for Board consideration

V. EXECUTIVE SESSION

ADDITIONAL INFORMATION

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

FUTURE AGENDAS

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

JANUARY 12 & 26

FEBRUARY 9 & 23

MINUTES PENDING VOTES

September 15, 2008, Joint Boards Meeting

November 17th, December 1, 2008

PENDING COMMITTEE APPOINTMENTS

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

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

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