

T. Clark

SELECTMEN'S MEETING
DECEMBER 20, 1994

The Board of Selectmen held its regular meeting on Tuesday, December 20, 1994 at 7:30 P.M. Present were Norman Lake, William Mullin, Nancy Tavernier, F. Dore' Hunter, Wayne Friedrichs, Town Manager Johnson, and Assistant Town Manager John Murray. {Cable representatives were not present.}

CITIZENS' CONCERNS

Robert Guba expressed three concerns. Mr. Guba stated that the speed on Central Street between Nashoba Road to Mohawk Drive is far exceeding the posted speed limit. Mr. Guba would like to see it posted as 30 mph. Mr. Guba also stated that the overgrown shrubs at the corner of Arlington and Spruce street are making it difficult to pull out onto Arlington Street. Mr. Guba also recommended a four way stop for that intersection. Lastly, Mr. Guba expressed interest in the Town accepting volunteer work from Senior Citizens in order to reduce seniors taxes. Mr. Guba stated that other towns are getting involved in this program.

Jean Sifleet, expressed her concern that suggested School Street sidewalks not be dropped from any possible town monies. Ms. Sifleet stated that she has worked hard on trying to get School Street sidewalks and she doesn't want to see her efforts set aside. Don stated that the FY 95 budget set aside \$15,000 for sidewalks.

PUBLIC HEARINGS AND APPOINTMENTS

CONSERVATION COMMISSION INTERVIEW

BARBARA SMITH - The Board questioned Ms. Smith regarding her objectives and goals if she were appointed to the Conservation Commission. F. Dore' Hunter - Move to appoint Barbara Smith as an Associate Member of the Conservation Commission. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

BOARD OF HEALTH INTERVIEWS

LISA WOLF - The Board questioned Ms. Wolf regarding her interests on becoming an associate member of the Board of Health. Ms. Wolf stated that she has been coming to Board meetings for the last two years on behalf of the League of Women Voters.



Nancy stated that there was an opening for a full-time member. Both Lisa Wolf and Mark Benedict were recommended by the VCC as associate members. Nancy stated that they should hold off on voting until the second candidate is interviewed and at that time appoint one full member and one associate.

MARK BENEDICT - The Board questioned Mr. Benedict regarding his interests on becoming a member of the Board of Health.

NANCY TAVERNIER - Move to appoint Lisa Wolf as a full member to the Board of Health due to her previous two years of attendance and move to appoint Mark Benedict as an associate member to the Board of Health. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE.

SITE PLAN - 11/7/94: 348
MCDONALD'S
256 MAIN STREET

McDonald's located at 256 Main Street is proposing to expand the existing restaurant to include two community rooms to be used for Seniors Bingo, birthday parties, community meetings, etc. The proposal also includes an upgrade of the restrooms, additional landscaping, and resurfacing of sidewalks and curbing. The addition will consist of 775 square feet to include approximately 40 seats. McDonald's is presently working with all pertinent departments in regards to septic issues and traffic plans. The existing parking lot would be modified to include one way entrance only (closest to McDonalds) with the installation of islands. The changes to the parking lot would be for the better and would be an adjustment to the townspeople. NANCY TAVERNIER - Move to continue hearing until January 10, 1994 at 7:45 P.M. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

J & B AUTO
CLASS II LICENSE RENEWAL
796 MAIN STREET

This hearing has been continued from December 6, 1994. Presently the Class II license at this address has approval for 10 vehicles and all vehicles must be parked on paved surfaces. During a routine check it was noted that there were approximately 15 cars on site that were parked on grass and pavement. The owner of the Class II license, Joseph Britt has requested permission for more vehicles to be stored on site. The Board stated that if additional cars could be parked on pavement or if additional pavement were added then more vehicles might be allowed. F. DORE' HUNTER - Move to approve a class II license for J & B Auto to expire on March 31, 1995 at which time the Board will review the license to see if additional vehicles can be added to the license. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

PCC, INC.
(CONTINUED LIQUOR LICENSE HEARING)
ROCHE BROS - MASS. AVE.

PCC., Inc. stated that all issues that the Selectmen had at the previous meeting have been met. The first five registers have been designated for the purpose of selling liquor, and these registers will be manned by employees who are over twenty-one. PCC., Inc. also presented a copy of their policy regarding the sale of liquor. The area that alcohol will be sold at will be roped off and covered on Sundays along with a chain around the perimeter. The Board also stated that employees should also attend training programs. DORE' HUNTER - Move to grant six day liquor license to PCC., Inc. for the ROCHE Brothers Supermarket located at Massachusetts Avenue with the following conditions:

1. That employees attend an alcohol training program.
2. Employees handling alcohol be at least 21 years of age or older.
3. That different color stickers be used on alcohol products.

NANCY TAVERNIER - Second. UNANIMOUS VOTE.

MUNICIPAL POWER COMMITTEE
APPOINTMENTS

Town meeting voted to create a Municipal Power Committee. Five prospective members are in front of the Board tonight for appointment. Town Meeting requested a report back at the next town meeting in April 1995. The Board questioned whether or not the newly appointed board had enough time since its now almost January. The members stated that they would get working and will have something to report to Town meeting in April. DORE' HUNTER - Move to appoint five candidates to the Municipal Power Committee. NANCY TAVERNIER - Second. UNANIMOUS VOTE. Dore' reminded the members to be sworn in by the Town Clerk and that the Selectmen would like a copy of the minutes of all meetings.

BRUSCHI MOTORS
CLASS II LICENSE
72 WASHINGTON DRIVE

Mr. Bruschi was present before the Board to discuss the conditions of his license that will be expiring December 31, 1994. It has come to the attention of the Board that Mr. Bruschi is using his license at another location other than the licensed site. Mr. Bruschi was under the impression that his license was a floating license. The Board stated that a class II license has

to be site specific. Bill suggested that Mr. Bruschi's existing license be extended until January 10, 1995 in order to give Mr. Bruschi adequate time to submit appropriate paperwork for a 1995 license at another site which the Board will review.

DORE' HUNTER - Move to extend Bruschi Motors Class II license until January 10, 1995 in order to give Mr. Bruschi time to submit appropriate paperwork for a specific site. WAYNE FRIEDRICH - Second. UNANIMOUS VOTE.

ANDERSON SALES
CLASS II LICENSE
POWDERMILL ROAD

It has come to the attention of the Board that Anderson Sales 1994 Class II license is in violation. During a check by the police it was found that there were more than 7 cars for sale excluding 3 for employees for a total of 10 cars on site. Anderson Sales stated that they are presently in compliance with the Class II license. Anderson Sales stated that they would like the Board to review the existing license to see if they could have more cars for sale. The Board suggested that they meet with Garry Rhodes, Building Commissioner, to see if additional cars can be allowed. WILLIAM MULLIN - Move to extend 1994 Class II license for 30 days so the Building Commissioner can do a site inspection to see if additional cars may be allowed. F. DORE' HUNTER - Second. UNANIMOUS VOTE.

R. SANTILLI
VILLAGE SAAB
30 MAIN STREET
CLASS I LICENSE

The Treasurer has asked that Village Saab Class I license be conditioned upon payment of back taxes. Prior to this meeting a signed agreement to pay back taxes was made between R. Santilli and the Treasurer. Approval of their license is recommended with the condition that Village Saab abide by this agreement. F. DORE' HUNTER - Move to issue license with the condition that R. Santilli pay all back taxes and abide by the agreement between R. Santilli and the Town Treasurer. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

ACHC LIP APPLICATION - ACHC has asked for the Board endorsement for Kirk Ware's LIP application for a single family home located at 15 Minuteman Road. If accepted this would be an exchange for one affordable unit originally proposed for Acorn Park. Betty McManus stated that this house is the first of two houses. The Board stated that they would like to thank Kirk Ware for an opportunity to provide an affordable house in Acton. F. DORE' HUNTER - Move to accept house located at 15 Minuteman Road. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

61A RIGHT OF FIRST REFUSAL OFFER - Mr. John Cahill has submitted an application to the Town for property located at 31 Conant Street which was previously in Chapter 61A. A bona fide purchase and sale has been received for this property. F. DORE' HUNTER - Move not to exercise right of first refusal for the property located at 31 Conant Street. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

The Board stated that they would like to receive a copy of all properties located in 61A.

WEST ACTON BAPTIST CHURCH - SIGN REQUEST - The minister of the West Acton Baptist Church has requested permission to place three signs approximately 2 feet by 4 feet. The Board stated that they would like Mr. Richards to appear before the Board to discuss these signs. The Board stated that they were concerned with the large size of the signs. F. DORE' HUNTER - Move to take no action and to ask Mr. Richards to come before the Board. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

BOY SCOUT COURT OF HONOR - John Goliash. NANCY will represent the Board.

HISTORIC DISTRICT - Appointment. The Board would like to interview Mr. Peterman prior to appointing him a full member. Staff will follow-up with scheduling of interview.

MANAGER'S EVALUATION - Dore' stated that as chairman last year he had drawn up an evaluation for Don's performance. Dore' reviewed Don's evaluation with the Board. Don received high marks from the Board. DORE' HUNTER - Move to extend Don Johnson's contract another year. WILLIAM MULLIN - Second. UNANIMOUS VOTE. DORE' HUNTER - Move to grant Don Johnson a 2% pay increase retroactive until July 1994. NANCY TAVERNIER - Second. Bill stated that Don deserved more than 2% based on his job performance. Bill stated that 3% would be adequate. NANCY amended vote to change 2% to 3%. UNANIMOUS VOTE.

CONSENT AGENDA

DORE' HUNTER - Move to accept Consent calendar as printed.
WILLIAM MULLIN - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

Shirley and David Dayton have offered a parcel of land to the Town located at 49 Taylor Road. The Board discussed this land offer and stated that they had questions. The Daytons have conditioned this offer on the Town not cutting down any trees on this parcel. The Board stated their concern regarding the liability of the trees. The Board questioned the tax status of the parcel. Staff said they would check into the tax status and report back to the board.

Dore' stated that our budget has been presented to FINCOM and Dore' suggested that the schools should also be required to meet the December 20, 1994 deadline. Don stated that he met with Isa and other school staff and resolved the amount of the tax bills with them.

Don stated that the Engineers did not show up for a meeting regarding the South Acton bridge. The materials that are to be used were discussed briefly.

EXECUTIVE SESSION

NANCY TAVERNIER - Moved to go into Executive Session for the purpose of discussing negotiations. DORE' HUNTER - Second. Roll Call was taken, All Ayes, UNANIMOUS VOTE. The Board adjourned into Executive Session.

The Board adjourned 11:00 P.M.

Nancy E. Tavernier

Clerk 2/7/95

Date

Sheryl A. Ball

Sheryl A. Ball
Recording Secty.
cmjW11-(581)

DECEMBER 16, 1994

TO: Board of Selectmen
FROM: NORMAN D. LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

DECEMBER 20, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 CONSERVATION COMMISSION INTERVIEW - BARBARA SMITH - Enclosed please find Ms. Smith's Citizen Resource sheet and VCC comment regarding a One year appointment as an Associate Member of the Conservation Commission for Board review and action.
2. 7:35 BOARD OF HEALTH INTERVIEW - LISA WOLF - Enclosed please find Ms. Wolf's Citizen Resource sheet and VCC comment regarding a One year appointment as an Associate Member of the Board of Health for Board review and action. (please note that the BOH is now in need of one Full-member in addition to Associate members)
3. 7:45 SITE PLAN 11/7/94-348 - McDONALD'S RESTAURANT, 256 Main Street - Enclosed please find application and staff comment regarding the Site Plan Permit for McDonald's Restaurant for Board review.
4. 8:00 BOARD OF HEALTH INTERVIEW - MARK BENEDICT - Enclosed please find Mr. Benedict's Citizen Resource sheet and VCC comment regarding a One year appointment as an Associate Member of the Board of Health for Board review and action. (please note that the BOH is now in need of one Full-member in addition to Associate members)
5. 8:10 J&B AUTO - Joseph Britt - Enclosed please find staff reports and recommendations regarding the 1995 Class II License renewal continued from the 12/6/94 meeting for Board discussion and action.
6. 8:15 PCC, INC. - Liquor License application hearing continuation from November at Roche Bros. Market, Mass Ave.

7. 8:30 MUNICIPAL POWER COMMITTEE - Enclosed please find the recommendations from VCC for appointment of five individuals to the MPC as voted at the 1994 Annual Town Meeting for Board Action. A copy of the intent of the Committee or "Charge" to the Committee is enclosed for Board information.
8. 8:45 BRUSCHI MOTORS, 72 Washington Drive and DJS AUTOMOTIVE, d/b/a Dennis Spellmen, Central Street - Enclosed please find staff reports and recommendations regarding the 1995 Class II License renewals continued from the 12/6/94 meeting for Board discussion and action.
9. 9:00 ANDERSON SALES, Powdermill Road - Enclosed please find staff reports and recommendations regarding the 1995 Class II License renewal of this license continued from the 12/6/94 meeting for Board discussion and action.
10. 9:15 R. SANTILLI - Enclosed please find the request to condition the Class I license based upon fullfilling a back tax payment plan.

III. SELECTMEN'S BUSINESS

11. ACHC LIP Application - ACHC is asking Board endorsement for Kirk Ware's LIP application for a single family home at 15 Minuteman Road, this is in exchange for two affordable units originally proposed for Acorn Park.
12. 61 A RIGHT OF FIRST REFUSAL OFFER - Enclosed please find notification from Mr. John Cahill to the Town for property located at 31 Conant Street with staff comments for Board Action.
13. WEST ACTON BAPTIST CHURCH - Enclosed please find a request for Board permission to place three roadside signs and staff comment for Board review and action.
14. BOY SCOUT COURT OF HONOR - Enclosed please find an invitation for John Goliash's Court of Honor for January for Board assignment.
15. HISTORIC DISTRICT - Enclosed please a request from the HDC to move Mr. Peterman from Alternate member to Full Member. This would fill the vacancy created by Christopher Dallmus's resignation for Board action.
16. MANAGER'S EVALUATION - Contract extension/salary review

IV. CONSENT AGENDA

17. LITTLETON RESTAURANT - SITE PLAN SPECIAL PERMIT 10/17/94-347 - Enclosed please find the draft decision for Board action.
18. SITE PLAN SPECIAL PERMIT - 11/05/93-341 - Enclosed please find a request from staff for release of the Wendy's Bond for Board action.
19. ACCEPT GIFT- Enclosed please find a staff memo asking that the Board accept several gifts of money to be used by the West Acton Library for Board acceptance..

V. TOWN MANAGER'S REPORT

20. LAND OFFER DAYTON - 49 TAYLOR ROAD - Enclosed please find an offer from Shirley and David Dayton along with staff comment for discussion.

VI. EXECUTIVE SESSION

MEETINGS

ADDITIONAL INFORMATION

Enclosed please find additional correspondence which 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.

Jan 10	Bike Path Presentation
	Acton Convenience Change of Location Liquor License
Jan 24	
Feb 7	

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