

SELECTMEN'S MEETING
APRIL 19, 1994



The Board of Selectmen held its regular meeting on Tuesday, April 19, 1994 at 7:30 P.M. Present were F. Dore' Hunter, William Mullin, Nancy Tavernier, Norman Lake, Wayne Friedrichs and Town Manager Johnson.
{Representatives from cable were present}

CITIZENS' CONCERNS

William Mullin introduced Mr. William Lahey, a long time family friend to the Board. Mr. Lahey will be observing the Board's Meeting this evening. The Board welcomed Mr. Lahey to the meeting.

NONE EXPRESSED

CHAIRMAN'S MINUTE

Chairman Hunter noted the omission of the Override Question for the Local Schools on the Agenda for this meeting. Mr. Hunter opened the floor for discussion and motion. William Mullin moved to affirm the override as directed by the Town Meeting for May 17, 1994. NORM LAKE - Second. UNANIMOUS VOTE.

Chairman Hunter thanked the Board members for their support during the last year. He talked about things he felt needed to be addressed next year. He urged the Board to prepare a three year plan with involvement from the School and Finance Committees and the need to address the Teachers' Early Retirement before June 10th.

BOARD REORGANIZATION

DORE' HUNTER moved to nominate Norman Lake as Chair. BILL MULLIN - Second. UNANIMOUS VOTE

NANCY TAVERNIER - Moved to nominate William Mullin as Vice-Chair. DORE' HUNTER - Second. UNANIMOUS VOTE.

DORE' HUNTER - Moved to nominate Nancy Tavernier as Clerk. BILL MULLIN - Second. UNANIMOUS VOTE.

Norm Lake took the Chairman's seat at the table and proceeded to chair the meeting.

PUBLIC HEARINGS AND APPOINTMENTS

COMMON VICTUALLERS - BENJARONG RESTAURANT
214 MAIN STREET

Kirk Carter representing the applicants said they planned to do some minor renovations and modifications to the kitchen and hoped that they would be able to open in a month or so. Norm questioned the reference to the allowed number of seats being 95 and the plan showing 99. The applicant was asked to resolve this matter with the appropriate town department prior to opening.

DORE' HUNTER - Moved to approve. NANCY TAVERNIER - Second.
UNANIMOUS VOTE.

ALCOHOLIC BEVERAGE TRANSFER - BENJARONG RESTAURANT
214 MAIN STREET

Attorney Carter outlined the proposed plan of operation. They will be sending employees to the TIP program which will in addition to saving insurance premiums will help ensure minors being served. The Board asked them to submit the House Rules for the service of alcoholic beverages for the file within 30 days. Bill asked the proposed Manager what she would do if a patron that was intoxicated wanted service. Another member of the corporation responded that they would ask him to leave and if that did not work they would call police. The proposed Manager has not worked as a manager before but as a waitress. The Board cautioned them that the license and regulations attached to the license are closely monitored and taken serious in Acton.

DORE' HUNTER - Moved to approve the Transfer from JACKLENE INC. to Benjarong Restaurant. NANCY TAVERNIER - Second.
UNANIMOUS VOTE.

COMMON VICTUALLERS LICENSE
METROPOLITAN DELI
208B MAIN STREET

WILLIAM MULLIN - Moved to approve. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

WILLIAM MULLIN - - Moved to accept the Consent Calendar as printed. - NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

GARDEN CLUB SIGN - NANCY TAVERNIER - Moved to approve the request for placement of a sandwich sign on Town common. DORE' HUNTER - Second. UNANIMOUS VOTE.

OVERRIDE DISCUSSION - Bill asked that if by voting to put the question on override ballot did it mean the board approved? Norm felt personally he would take no position on this since it was a school budget issue and the Board has not usually taken a position with regard to school budget issues. Dore' too felt that unless asked by the School Committee to take one, the board should not. Bill's view is that if they are placing the question on the ballot, the board should take a position to let the citizens know what the Board's advice was. Nancy was not really ready to make her decision and wanted to do more research. Dore' felt we should ask the Local Committee in and to have them make a presentation if they wanted to Board's endorsement. Staff was asked to contact the school to invite the Local School Committee to the May 3rd meeting.

TRAIN WHISTLES - Nancy updated the Board on her recent trip to Boston to testify before the Transportation Committee. She felt it was quite positive.

MUNICIPAL FORUM - Staff was asked to include discussion on the Municipal Forum on the next agenda.

TOWN MANAGER'S CONCERNS

South Acton Bridge - Don updated the Board on his conversations with the State regarding the SAB. Don asked the Board what they felt would address the repair better, a detour or temporary bridge. The board definitely felt the temporary bridge on the westerly side was the best alternative to a re-routing of traffic by means of a detour. Nancy felt a detour was unacceptable. Dore' felt we needed to have the temporary bridge during the replacement.

LIQUOR LICENSE SURVEY - Bill felt that we should send a letter to the violators to inform them of this issue and that the police would be instructed to continue monitoring and reporting to the Board. Dore' felt the Board needed to pull the managers in and advise them of the violations and to ask what was done and how are they going to correct the problem in the future. Nancy urged the Police to continue with the monitoring. DORE' HUNTER - Moved to call the Managers in one by one to hear the explanations and what corrective actions have been taken. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Staff was asked to provide a photo of the girl who made the liquor purchases. Bill felt a letter stating a number of violations were found in a routine check of liquor establishments and Managers will be appearing before the Board to answer the charges. The Chairman will sign the letter as the Local Licensing Authority.

EXECUTIVE SESSION

The Board voted to go into Executive Session for the purpose of discussing potential litigation and contractual issues.

Roll Call was taken all ayes.

The Board adjourned at 9:15 P.M.

Nancy F. Tarkani
Clerk 5/17/94
Date

Christine W. Joyce
Christine Joyce
Recording Secty.
cmjW11-(475)

April 15, 1994

TO: Board of Selectmen
FROM: F. DORE' HUNTER, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

APRIL 19, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

7:31 CHAIRMAN'S MINUTE

7:32 BOARD REORGANIZATION

1. 7:40 BENJARONG RESTAURANT - 214 Main Street - Common Victualler's License - Enclosed please find application and staff comment for Board action.
2. 7:45 BENJARONG RESTAURANT - 214 Main Street - Liquor License Transfer - Enclosed please find application and request to Transfer an all alcoholic beverage license from Candlewood to Benjarong Restaurant along with staff comment for Board action. This application also requests that the license be amended from six days to seven.
3. 8:00 METROPOLITAN DELI, 208B Main Street - Common Victualler's License - Enclosed please find application and staff comment for Board action.

III. SELECTMEN'S BUSINESS

4. ACTON GARDEN CLUB REQUEST - Enclosed please find a request from the Acton Garden Club for permission to place a sign on town property along with staff comment for Board review and action.

IV. CONSENT AGENDA

5. ACCEPT MINUTES - Enclosed please find minutes for the March 1, 1994 meeting for Board acceptance.

6. ONE DAY LIQUOR LICENSE - Enclosed please find a request from Chez Claude for permission to serve liquor on Mother's Day, May 8th, for Board action.
7. ACCEPT GIFT - Enclosed please find a request for Board acceptance of a money gift to the West Acton Library for Board action.
8. ACCEPT GIFT - Enclosed please find a request for Board acceptance of computer equipment to be utilized by the Fire Department for Board action.

V. TOWN MANAGER'S REPORT

9. South Acton Bridge - The Town Manager will report briefly concerning status of the South Acton Bridge and seek Board comment on alternatives
10. Liquor License Survey - The Town Manager will seek the Board's direction concerning the enclosed materials.

VI. EXECUTIVE SESSION

11. The Town Manager will explain the enclosed draft materials and seek board input/direction.

MEETINGS

New England Drama Fest. - April 21, 22, & 23

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.

May 2, 1994
Site Plan, 5-7 Post Office Sq. (Serendipity) Tavernier assigned