

SELECTMEN'S MEETING
MARCH 1, 1994



The Board of Selectmen held its regular meeting on Tuesday, March 1, 1994 at 7:30 P.M. Present were F. Dore' Hunter, Anne Fanton, William Mullin, Nancy Tavernier, Norman Lake and Town Manager Johnson.
{Representatives from cable were present}

CITIZENS' CONCERNS

Joshua Chernin, Associate Member of the Planning Board urged the Selectmen to support the article on the warrant authorizing the additional members for the Planning Board. He stated that the membership is volunteer and the bylaw addresses any issue related to members missing meetings by capping the number of meetings that can be missed before a member is replaced.

PUBLIC HEARINGS AND APPOINTMENTS

BOSTON GAS

Chairman Hunter continued the hearing until the next meeting due to the lack of public hearing notice available for announcement and examination.

STREET ACCEPTANCE - KENNEDY LANE

Mrs. Whitehead of #4 Kennedy Lane asked for clarification with regard to the retention pond landscaping that has not been completed by the builder. She asked if it had any effect on the acceptance of the street. Engineering staff responded that it did not. The Board suggested that she contact her builder, Mr. Fenton, to obtain written assurance that the retention area would be completed by him in the manner originally proposed.

NORM LAKE - Moved to include Kennedy Lane for Acceptance on the 1994 Warrant. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

**VILLAGE SAAB
CLASS I DEALER LICENSE HEARING CONTINUED**

Atty. Charles Kadison outlined the proposed plan as it exists in progress. The Board asked that the Building Commissioner identify the legal spaces allowed under the plan as it is presented. They were concerned that the number of cars exceeds zoning and will address the number of cars allowed on site after review by the Building Commissioner. The screening issue was also discussed. The applicant is intending to complete the rather extensive and expensive buffer when Spring arrives. NANCY TAVERNIER - Moved to have the problems resolved and the plan presented within 90 days. ANNE FANTON - Second. UNANIMOUS VOTE.

BOARD OF HEALTH
NURSING SERVICE - PUBLIC HEALTH PROGRAMS

Bill McInnis outlined the programs that they were proposing to conduct with fund balances in the Nursing Enterprise Fund. Nancy Tavernier reiterated that the money to be spent on these programs would not be the \$30,000 originally set aside for the consultant. She further urged them not to duplicate services already offered and to charge fees where appropriate. ANNE FANTON - Moved to approve the planned programs as presented without aerobics, the programs to be paid for out of the current Enterprise Fund Balance. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

Approved with Items 8 and 9 held for discussion. Item 8 - amend minutes of January 18 third paragraph amended. NANCY TAVERNIER - Moved to accept the Minutes as amended. NORM LAKE - Second. UNANIMOUS VOTE. Item 10 - Norm noted that he was not at the original hearing and therefore the decision should be amended to reflect this. BILL MULLIN - Moved to amend the Wendy's decision to reflect Norm's absence at the December 14th Meeting. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

Eagle Scout Court of Honor - Nancy to represent the Board.

Warrant Message - The Board discussed the Chairman's draft message for the warrant. Bill felt that it was fairly negative and suggested that if it's important to assign responsibility for the Ed Reform Formula, we change it from legislature to State Government and Governor. It was suggested that its political nature be toned down. Dore' said he would take the comments into consideration and do some redrafting. Anne concurs with some of the concerns Bill raises, but for the most part is comfortable with it if some changes are made to reflect a non-accusatory nature and add the choices offered to Town Meeting as a major change this year. The Board felt it was positive and responded to Town Meetings wishes. Dore' concurred and will make changes. Norm felt it is important that we are not blaming the schools and we are not feuding with the schools. Norm also noted that under ed reform, the school choice monies are not available for use.

WARRANT DISCUSSION CONTINUATION - Don outlined the items for bonding and the requirements for that bonding. Options for packaging the bonding articles and the need for 2/3 votes that would be required for bonding items. Don cautioned that the payback would be high in 96 but the debt would be retired and payments would return to the normal schedule when the debt we already have gets retired. Dore' asked why we could not cut them out and put forward as a 2 1/2 debt exclusion. Nancy felt it would increase tax payments if an override was passed.

Don said that we needed to continue our debt to solve the problem of absorbing the capital costs into our budgets each year. Consensus is that the Board is happy with the bonding concept. Don urged the 2/3 vote was important and we need to let people know this course avoid possible overrides.

WILLIAM MULLIN - Move to pursue the bonding approach incorporating Plan #1 Manager's recommendations as presented. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Base "B" Budget - 11 million, Bonding will be set aside as a group of articles or group. Dore' felt we needed to provide a logical way to group the articles for bonding and will work with staff to develop a grouping. The ladder truck will be in its own article as well as paving and the Blanchard Chimney Repair.

Planning Board member increase was discussed. NANCY TAVERNIER - Moved to defer until Planning is able to clarify any outstanding issues. BILL MULLIN - Second. 3-2 Dore' and Anne No.

Adams Street Land - Bill Mullin noted that he was satisfied with the proposal since he had received responses to all his many questions. The units will be pre-sold so many issues of feasibility will be addressed. Profits will be used for affordable housing. NORM LAKE - Moved to recommend. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

NESWC- NANCY TAVERNIER - Moved to approve. ANNE FANTON - Second. 4-1 William Mullin, Abstaining.

Item 2, Bonding Package = WILLIAM MULLIN - Moved to recommend the Bonding Package listed as Item 2. ANNE FANTON - Second. UNANIMOUS

Command Vehicle - NORM LAKE - Moved to recommend and separate out as separate article. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Impact Fee Bylaw - NANCY TAVERNIER - Moved to recommend. BILL MULLIN - Second. UNANIMOUS VOTE.

Establish Stabilization Fund Article - NORM LAKE - Moved to establish Article and to defer recommendation. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Planning Articles - BILL MULLIN - Moved to defer on Planning Articles. No second. Motion Lost.

ANNE FANTON - Moved to recommend Articles p,q,r,s NANCY TAVERNIER - Second. UNANIMOUS VOTE.

NORM LAKE - Moved to defer on Citizens Petition FF. ANNE FANTON - Second. UNANIMOUS VOTE

NANCY TAVERNIER - Moved to recommend Article T. ANNE FANTON - Second. 4-1, Bill Mullin, No

NANCY TAVERNIER - Moved to recommend Article U. ANNE FANTON - Second. 3-2, Bill Mullin and Norm Lake, No

NORM LAKE - Moved to Defer Recommendation on Article V - BILL MULLIN - Second. UNANIMOUS VOTE.

NANCY TAVERNIER - Moved to recommend Article W. NORM LAKE - Second. UNANIMOUS VOTE.

NANCY TAVERNIER - Moved to recommend Article X. ANNE FANTON - Second. UNANIMOUS VOTE.

NORM LAKE - Moved to recommend Article Y with clearer summary. NANCY TAVERNIER - Second. 4-1 Bill Mullin, No.

NORM LAKE - Moved to recommend Article Z - NANCY TAVERNIER - Second. UNANIMOUS VOTE

ANNE FANTON - Moved to recommend Article AA - NANCY TAVERNIER - Second. 4-1 Bill Mullin, No.

ANNE FANTON - Moved to recommend Article DD - NANCY TAVERNIER - Second. UNANIMOUS VOTE.

NANCY TAVERNIER - Moved to Recommend T and DD and move to Consent, FF to be Deferred. NORM LAKE - Second. UNANIMOUS VOTE.

ANNE FANTON - Moved to recommend Article GG - NORM LAKE - Second. UNANIMOUS VOTE.

NORM LAKE - Moved to Recommend Article II and HH, Defer JJ, Recommend KK and make no recommendation on MM- NANCY TAVERNIER - Second. UNANIMOUS VOTE.

NORM LAKE - Moved to Defer NESWC Stabilization Article - NANCY TAVERNIER - Second. UNANIMOUS VOTE.

(Please Note that an Index will be attached for this version of the Articles dated 2.25.94)

NANCY TAVERNIER - Moved that all budgets presented at the 1994 Annual Town Meeting be in a format that reflects spending requests equal to the total projected revenue available for FY1995. Any request for appropriation that would exceed this total projected revenue for FY1995 must be presented with

appropriate language making its appropriation contingent on the passage of a Prop. 2 1/2 override at a Special Election to follow. These override questions may be either general, debt exclusion or capital overrides. NORM LAKE - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

Public Ceremonies Committee - Nancy discussed her research on this issue of appointing authority with respect to the PCC. It appears that the Charter supersedes and the Town Manager is responsible for appointing this committee. VCC will be asked to submit candidates to the Town Manager for possible appointment.

NANCY TAVERNIER - Moved to approve the request from staff to increase self funding in the amount of \$111,000. NORM LAKE - Second. UNANIMOUS

The Board adjourned at 11:45 P.M.

William C. Hull
Clerk 7/19/94
Date

Christine M. Joyce
Christine Joyce
Recording Secty.
cmjW11-(510)

FEBRUARY 25, 1994

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

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AGENDA
ROOM 204
MARCH 1, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 CHAIRMAN'S MINUTE
2. 7:32 BOSTON GAS - GREAT ROAD - Enclosed please find petition information and staff comment for Board action.
3. 7:45 PUBLIC HEARING - STREET ACCEPTANCE - KENNEDY LANE
4. 7:50 VILLAGE SAAB - Class I License review continued from December Renewal action.
5. 8:15 BOARD OF HEALTH - William McInnis will present proposed Public Health programs for Board review and action.

III. SELECTMEN'S BUSINESS

6. EAGLE SCOUT - Enclosed please find a request for attendance at a Court of Honor from Troop 32 for assignment.

7. CONTINUED BUDGET DISCUSSION

IV. CONSENT AGENDA

8. MINUTES - Enclosed please find minutes of January 18, 1994 for Board approval.
9. WENDY'S SITE PLAN SPECIAL PERMIT - Enclosed is the Site Plan Special Permit decision for Board action.

10. ACCEPT GIFT - WEST ACTON CITIZEN'S LIBRARY - Enclosed please find three gifts of money for Board action.
11. PROCLAMATION - Enclosed please find a request from American Red Cross to proclaim March as American Red Cross Month for Board action.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

MEETINGS

- February 27 - ACHC Adams Street Project at Town Hall
- April 10, 1994 2-4 P.M. - Open House Senior Center

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.

March 15, 1994

Metropolitan Deli - Special Use Permit
Common Vic
Costa Donuts - Special Use Permit
Common Vic.
NARA/Bldg. Commissioner Public Meeting
Sichuan Pavilion, Inc. - LIQUOR RE-HEARING

MARCH 29 - 1994

Beginning at 8:00 P.M.

1994 ANNUAL TOWN MEETING WARRANT ARTICLE INDEX

<u>ARTICLE</u>	<u>ARTICLE TITLE</u>	<u>PAGE</u>
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Article 2	Hear and Accept Reports	
Article 3*	Council on Aging Van Enterprise Budget	
Article 4*	Nursing Enterprise Budget	
Article 5*	Septage Disposal Enterprise Budget	
Article 6*	NESWC Enterprise Budget	
Article 7*	Merriam School Enterprise Budget	
Article 8	Budget Transfer	
Article 9	Budget Article	
Article A*	Self Funding Program	
Article B	Budget Funding Memorial Library	
Article C#	West Acton Citizen's Library	
Article D	Blanchard Auditorium Chimney Repair	
Article E	Use of Funds to Reduce the Tax Rate	
Article F*	Storm Appropriation	
Article G*	Transfer of Funds Cemetery Land Fund	
Article H*	Alternative Revenue Sources	
Article I*	Chapter 90 Highway Reimbursement	
Article J*	Acceptance of Gifts of Land	
Article K*	Street Acceptance	
Article L*	Charter Road Sidewalk Easement - Richards	
Article M*	Charter Road Sidewalk Easement - Smith	
Article N*	Charter Road Sidewalk Easement - Sackman	
Article O*	Main Street Easement	
Article P	WEST ACTON VILLAGE (WAV) GENERAL BUSINESS (GB) AND LIMITED BUSINESS (LB) DISTRICTS IN WEST ACTON	
Article Q	VILLAGE RESIDENTIAL DISTRICT IN WEST ACTON	
Article R	PARKING IN VILLAGE DISTRICTS	
Article S	SITE PLAN SPECIAL PERMIT IN VILLAGE DISTRICTS	
Article T	TRACT OF LAND REQUIRED FOR CERTAIN DEVELOPMENTS	

Article U	MAXIMUM LIMITS FOR RESIDENTIAL COMPONENT IN PLANNED UNIT DEVELOPMENTS
Article V	CORRECTIONS, CLARIFICATIONS AND MINOR ADJUSTMENTS TO THE ZONING BYLAW
Article W	ACCOMMODATION OF HANDICAPPED AND VAN ACCESSIBLE PARKING
Article X	CHANGE SPECIAL PERMIT REQUIREMENT FOR COMMON DRIVES
Article Y	ELIMINATE SPECIAL PERMIT REQUIREMENTS FOR CERTAIN ACCESSORY USES
Article Z	ELIMINATE PROHIBITION AGAINST AND SPECIAL PERMIT REQUIREMENT FOR TERTIARY WASTEWATER TREATMENT FACILITIES
Article AA	ELIMINATION OF SPECIAL PERMIT REQUIREMENTS FOR CERTAIN DIMENSIONAL PROVISIONS
Article BB	ASSOCIATE MEMBERS FOR PLANNING BOARD WHEN ACTING AS SPECIAL PERMIT GRANTING AUTHORITY
Article CC	ASSOCIATE MEMBERS FOR PLANNING BOARD WHEN ACTING AS SPECIAL PERMIT GRANTING AUTHORITY - CHARTER CHANGE
Article DD	ACCEPTANCE OF LAND AND RELATED EASEMENTS HEARTHSTONE FARM SUBDIVISION
Article EE	Change in Requirements for Child Care Facilities in Residential Areas
Article FF#	Change in Zoning of land in Acton
Article GG	Public Use of Land by Town or Agency Other than the Town of Acton and the Water Supply District of Acton
Article HH	Acceptance of MGL Chapter 140, Section 147A
Article II	Dog Regulation Amendment to Town Bylaws
Article JJ	Amend Local Historic District Bylaw
Article KK*	Remove Police Chief Position from Civil Service
Article LL	Affordable Housing - Adams Street
Article MM#	Formation of a Municipal Power Organization
Article NN	School Teachers Early Retirement
Article OO	Traffic Signals at Route 62 and High Street
Article PP	Summer Assistant - Engineering Department
Article QQ	Engineering Department Software
Article RR	Engineering Department Van Replacement
Article SS	4X4 GVW Pickup 3/4 Ton Truck
Article TT	4X4 One Ton Dump Truck
Article UU	10 Wheel Tractor
Article VV	Front End Wheel Loader
Article WW	Pavement Program
Article XX	Replace Nursing Vehicle
Article YY	Renovation and Installation of Dispatch Console

Article ZZ	Mobil Data Terminals
Article AAA	Mobil Data Terminals
Article BBB	Mobil Data Terminals
Article CCC	Ladder Truck Replacement
Article DDD	Command Vehicle
Article EEE	Fire Alarm Equipment
Article FFF(a)	Exhaust Evacuation System
Article GGG(b)	Exhaust Evacuation System
Article HHH(c)	Exhaust Evacuation System
Article III	Staffing Restoration
Article JJJ	Restore Friday Library Hours
Article KKK	Library Expansion Study
Article LLL	Replace Circulation Desk
Article MMM	Purchase Health Department Computer
Article NNN	Replace Health Dept. Vehicles
Article OOO	Purchase Health Department Microfiche
Article PPP	Replace Dump Truck
Article QQQ	Memorial Library HVAC upgrade
Article RRR	Police Station Garage Roof Repairs
Article SSS	Ice House Pond
Article TTT	Additional Staffing in Planning Department
Article UUU	Impact Fee Bylaw
Article VVV	Kelley's Corner Plan

*Consent

#Inserted by Citizen Petition
February 23, 1994 3:33 PM