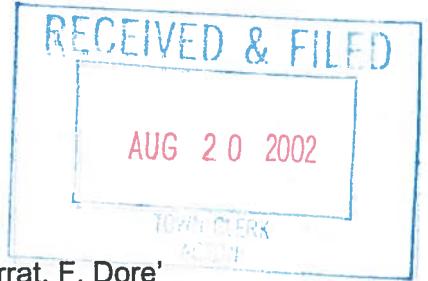


Selectmen's Minutes

June 3, 2002

7:00 P.M.

Present: Trey Shupert, Walter Foster, Peter Ashton, Pam Harting-Barrat, F. Dore' Hunter, Town Manager and Assistant Town Manager. Meeting was televised.



CITIZEN'S CONCERNS

T J O'Grady Skate Park – Mr. Lawton representing the Skate Park asked to have permission to place signs for donations on Town Property as this would enable them to get donations from corporate donors. Town Manager to forward copy of policy to them.

David Keeler – 33 Quaboag Road regarding Officer Brian Bandenni who is leaving for Military service. He wanted the Board to reconsider the pay at Town wage versus the military pay. Trey Shupert told him that they could not do anything as they do not have a signed contract. It would have to be bargained at a later date, and noted the provision for non-union employees could not be applied as the Police Officers are union members.

PUBLIC HEARINGS & APPOINTMENTS

TERRY GILMORE – ASSOCIATE MEMBER OF THE BOARD OF HEALTH. Terry spoke about her current position and the duties of that position. She feels that although she has not attended any BOH meetings, she felt the Mosquito and vaccine programs were important to her. Pam noted that she as the liaison to that Board and has wanted to expand the duties of the Board of Health.

PAMELA HARTING-BARRAT – Moved to appoint Terry Gilmore as an Associate Member of the Board of Health for a term to expire June 30, 2003. **DORE' HUNTER – Second.** UNANIMOUS VOTE.

EDC – Rehta Rober, Chairman of EDC spoke about the membership on the EDC and what they have been working on. They are hoping to have the brochure published this year. They have been trying to figure out what to do next and they feel that their main focus will be EDIC legislation and have it go forward to April Town Meeting. They have been looking for grants or loans for assistance in writing a business plan and putting it in place. Roland had found a Federal grant but it required a matching donation. They in the past worked with Warrant Articles but that has been put on hold. The EDC are looking for examples of other business plans.

Trey asked about the money for the Plan to be developed. He noted the suggestions from Brookside Shops and that there is money available. He doesn't know if it is in yet but we will get it and felt the Board could hire a consultant to review their work.

Pam agreed they need to have money to complete their plan but did not know where to get it. She noted that they need to do public outreach and education. Rehta noted they have had newspaper articles and they may arrange forums.

Josh explained his reason for them to take run a first draft of the Business Plan.

Trey thanked the committee for their time and effort.

CABLE TV LICENSE TRANSFER HEARING CONTINUED FROM MAY 20, 2002

Trey noted that there have been several issues that have come to light with the current license. They have noted that this is not unique to Acton and feels the license and transfer are linked. He wants answers and if not we are not inclined to continue the public hearing.

Bill Solomon felt we needed to hear from AT &T about the Senior Discount and why they cannot comply.

Elizabeth Graham – Rob Travers Government Affairs representatives discussed the Senior Discount. They met on Friday and they do not want to include the discount at higher levels. The Town felt that the discount should be available no matter what the customer orders. She wanted the Town's understanding. John Covert spoke about what he recalled during initial meetings. It was questioned and AT &T would offer the discount over and above the normal package ordered. The Discount would apply to expanded basic. He expects that what the person with one tv and no special programming apply only to basic service. She will bring it to the companies attention for resolution.

Bill Solomon made a presentation regarding good faith negotiations.

Ms. Graham felt that the senior discount agreement would be honored.

Dore' noted that they said they would comply with the discount by letter to us from David Greene. Mr. Travis noted that David Greene did not remember it clearly. Bill felt that we had a yes and he would suggest we move forward. Peter noted we got that yes two years ago and felt it was a waste of time.

Trey wanted to know when the seniors would receive their discounts. She said rate change usually takes about 30 days. 10% on both basic and Expanded Basic at age 62. Dore' noted it should be written in to the agreement.

I-net was discussed, they build the net work by Broadband and it's ability to support the many drops Acton has. While the Town liked the security offered, their Inet does not support the video drops, and offered the Town a more secure data source carried over direct fiber that would be faster. They need to talk to the design people. Their Broad Band Engineer is looking in to it. And for exchange to complete the video side the Town would get the secure line. Trey noted that he did not care what technology was used but we need to get what we need. Pam asked what would change if we signed the transfer. Elizabeth felt that Com Cast will be looking at the management of the company and evaluating what to keep and what to change. They do not have the changes as they are currently in the process and it would be against the Anti trust laws. She further noted that they will be launching new ideas and multiple internet uses. She would be willing to provide more information. She will send it tomorrow. They Board

agreed that they would like that information and asked for it to be noted in these minutes. Pam said that we needed to know that we would be getting better service.

Walter wanted to echo Bill Soloman statements and wanted to know what the new company would offer. Dore' noted that AT&T is clearly noted that they have failed and hopefully the new company could support our needs.

Peter asked about his questions and Ms. Graham said that they will have the answers by the end of the week. Peter noted in his expertise, that the consumers never realize the savings.

Mr. Hall described the two systems. He noted that the Board had a good understanding of the issue. The original was designed for multiple drops. The technology is 7-8 years old and is sound. The new technology that they offer is a good technology. Even with the fiber that AT&T uses they will still need to do additional work. He noted the security of the data if not protected or filtered. Upon query from Mr. Foster, he said that the proposed inet that is being developed by AT&T would be his selection. Dore' noted that we need to look at what our damages are and further damage for extension of the license. He doesn't know how we can make this decision with the information we have.

Trey noted that if a vote were taken tonight we would have denied the license, and how it would reflect on other committees. Elizabeth noted that she had documents which discussed the issues in Cambridge, and they would appeal if we denied the license.

Bill said we would have a default hearing and take AT &T to court. He hoped that the silence was an error of judgement. Bill asked if Com Cast Cable TV Inc. would comply with all the outstanding issues and building of I-net section 3.2. Dore' wanted to know if the new entity was able to comply with the license and feels we need something from them if it is not going to be done before the transfer.

Bill noted May 30th letter and how other priorities at what level a decision was made to not build the I-net made. She said they were difficult decision because the capital was not available this was made by Dan Summers and then out to communities which did have outstanding Capital issues in their contract.

Bill asked about 2.3 section K. They are reviewing this currently and it is potentially a very costly prospect. It was noted that it open ended and thought the cost would be passed on the subscribers. She was concerned that the drops at the sewer pump stations increased their cost by 2x. They are concerned about having an open ended item and the monies to support them.

Trey noted there are several issues that need to be resolved. PETER ASHTON - Moved to close the hearing and continue to June 17, at 8:30. WALTER FOSTER - Second. UNANIMOUS VOTE.

Trey noted he wanted to continue forward on the default costs.

SELECTMEN'S BUSINESS

DEMOCRATIC TOWN COMMITTEE – Trey spoke about the letter he received from ADTC signed by James Eldridge. He found out this was initiated and written by a Patrolman's father. Trey noted the situation and the inability of the Unions to sign for a period of time. Fire has signed and the Police have not. Now they want to go back to JLMC on a grievance and we have proposed a settlement and we will continue to try to do everything to get the Police Union to sign.

Trey has drafted a response and he wants to be clear that he has heard from other members of ADTC that this is over blown. He would ask that the committee also send this letter to the Police Union. Dore' noted the first two paragraphs were wrong and should be changed to reflect a corrected letter. He would be willing to release our three letters which gives chronicle to the issue and he would release those to anyone requesting them.

Pam did not attend the ADTC meeting and found out about the letter over the weekend. She felt ADTC should have come to the town first to hear the town's side of the issue.

Walter discussed the inaccuracies in the letter from ADTC. **PETER ASHTON** – Moved to authorize the letter and attachment and sent out in response to the letter received. **DORE' HUNTER** – Second, **UNANIMOUS VOTE**.

NORTHEASTERN CORRECTIONAL INSTITUTION- Peter Ashton and Dore' Hunter will attend.

OTHER BUSINESS

Walter asked for follow-up on the soccer fields.

Peter has begun drafting his review of the Town Manager for distribution this weekend.

Peter spoke about Board of Appeals meeting regarding the Brookside earth removal. Walter will attend if at all possible.

Trey will be back on the 13th.

Trey sent an Email about the artifacts/items discovered at the sewer site. He wanted to display them at the Memorial Library. Library staff noted that there funds available to support this and Trey will follow this up.

SEWER COMMISSIONERS REPORT

TWIN SCHOOL SEWER CLEAN UP COSTS – Don noted the documentation was sent to Bill Ryan and he has forwarded it to Lees. They will meet on June 13 at 1:30. Peter felt a selectmen should attend.

CONSENT AGENDA

DORE' HUNTER – Moved to approve. PETER ASHTON Second. UNANIMOUS VOTE

TOWN MANAGER'S REPORT

EARLY RETIREMENT INCENTIVES - .Don felt that there was no good reason to approve unless we need to reduce staff it is not worthwhile.

EXECUTIVE SESSION

PAM HARTING-BARRAT – Moved to go into Executive Session to discuss Labor Negotiations –PETER ASHTON – SECOND. The Board will only return to open session to adjourn. Roll Call taken by the Clerk, All Ayes.



Christine Joyce
Recording Clerk



Clerk

Date

May 31, 2002

TO: Board of Selectmen, Sewer Commissioners
FROM: Trey Shupert, Chairman
SUBJECT: Selectmen and Sewer Commissioners Report

JUNE 3, 2002
PLEASE NOTE THAT THE MEETING BEGINS AT 7:00 P.M.

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. **7:05 – TERRY GILMORE – ASSOCIATE APPOINTMENT TO THE BOARD OF HEALTH** – Enclosed please find Ms. Gilmore's Application and VCC's recommendation for appointment as an Associate Member of the Board of Health for Board action.
2. **7:15 ECONOMIC DEVELOPMENT COMMITTEE (EDC)** – Enclosed please find materials provided by the EDC. They will be present to discuss their mission and update the Board on their activities.
3. **7:45 CABLE TRANSFER HEARING CONTINUED FROM MAY 20, 2002**

III. SELECTMEN'S BUSINESS

4. **DEMOCRATIC TOWN COMMITTEE** - Discussion and response to the letter received by the Board from the Acton Democratic Town Committee.
5. **TOWN SCHOOL CLEAN-UP ISSUES** – Chairman Shupert wishes to discuss the status of this issue.
6. **NORTHEASTERN CORRECTIONAL FACILITY COMMUNITY RELATIONS BOARD** – Enclosed is an invitation for membership

7. OTHER BUSINESS

IV SEWER COMMISSIONER'S REPORT

8. TWIN SCHOOL SEWER CLEAN UP COSTS

V CONSENT AGENDA

9. **ACCEPT MINUTES** – Enclosed please find April 22, 2002 minutes for approval.
10. **ACTON COMMUNITY HOUSING** – Enclosed please find a request to approve the refinancing of a LIP Unit at 40 Nylander Way for Board action.

11. **COLONIAL SPIRIT CHORUS** – Enclosed please find a request from the Chorus for use of the front stairs of the town hall on September 11, 2002 for a remembrance program.

VI. TOWN MANAGER'S REPORT

12. Enclosed please find materials regarding the Early Retirement Incentive Program for discussion.

VII 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.

June 17, George Lussier – Disabilities Commission present brief video of the Arboretum Setting of the O&M cost for June, possible Oversight meetings with Recreation and TAC
July 15, Site Plan
August 19, 2002

GOALS 2001-2002

1. Resolution of on-going Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Peter)
3. Towne Building Reuse (Walter/Dore')
4. ALG process be used for purpose of Budget Planning for FY '02 (Peter/Trey)
5. Residential and Commercial Growth (Walter/Trey/Pam)
6. Open Space and Recreation Plan (Peter/Walter)
7. Health Insurance Trust Agreement (Peter)
8. HDC Bylaw Review (Dore'/Peter)
9. Decision on Pentamation Accounting System (Dore'/Pam)
10. Process Planning for "Life after NESWC" (Pam)

FY 2000 GOALS carried forward

11. Public Safety Facility (Dore'/Trey)
12. Determine future of Vallencourt House - 17 Woodbury Lane.
13. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter)