



T. Clark

SELECTMEN'S MINUTES

JANUARY 16, 1996

Present: William C. Mullin, Nancy C. Tavernier, F. Dore' Hunter, Wayne L. Friedrichs, Herman Kabakoff, Town Manager Don Johnson and Assistant Mgr. Murray. (The meeting was televised)

CITIZEN'S CONCERNS

NONE EXPRESSED

Mr. Hunter complemented the Highway crew and Dick Howe for their outstanding job clearing and pushing back the snow from the intersections. He asked the citizen's to be patient with the removal process.

PUBLIC HEARINGS AND APPOINTMENTS

KELLY RYDER PERSONNEL BOARD INTERVIEW

Ms. Ryder has been an active in HR field for many years. Just recently left her position to raise her small children. She would like to remain active while raising her children and would like to become involved to utilize her skills. She has handled many facets of HR Management and had experience in Workmen's Comp. Claims and the return to work of these employees was her most difficult area.

Mr. Hunter hoped that she and the Personnel Board would be helpful to the Town Manager in the recruitment and hiring of the Proposed HR Manager.

Mrs. Tavernier asked about her experience in health care field. She has had much experience in the benefits tracking aspect.

Mr. Friedrichs asked about ResTrack. She explained that it had been very helpful to the organization and they were revising even further as she was leaving her position.

Mr. Kabakoff thanked her for volunteering and hoped she would enjoy her service. On the Board.

HERMAN KABAKOFF - Moved to appoint Kelly Ryder to the Personnel Board for a three year term to expire 6/30/98. DORE' HUNTER - Second. UNANIMOUS VOTE.

ROBERT EISENGREIN - ACES W.R. GRACE PROPERTY RE-USE DISCUSSION

Mr. Mullin thanked Mr. Eisengrein and the members of Aces for their many hours of work on behalf of the citizens of Acton.

Mr. Eisengrein updated the board on his many meetings with Grace representatives and Federal and State agencies with regard to the on-going clean up of the site. They are moving toward finalization of the project. The property in Acton is around 200 acres which is zoned light industrial. Aces has asked if Grace would be willing to set aside some of the land for conservation use in perpetuity, Grace indicated they would be willing to discuss it. They will be discussing it further in the Spring. The land they are talking about would be the land adjacent to the Sinking Pond. Mr. Eisengrein suggested the Town start thinking about what they would want to happen on that property. He had begun to think of potential uses, perhaps 25-30 acres to infiltrate sewerage. The property has 3 or 4 large warehouse type buildings that the town might use for storage. He feels it is a one time opportunity and a win-win situation. Grace has responded well to the remediation project. He urged the Town to have a pro-active plan on what they wanted to do and see happen on that site when the remediation was complete.

Mr. Mullin asked about the potential of it being a Brownfield Project with EPA which would assist in the reuse of the formerly contaminated site, and limit the liability to the previous owners of such sites. EPA is trying to set up pilot projects with financing up to \$200,000 for a year to help with these Brownfield properties. Mr. Eisengrein suggested that Lynn Jennings of the EPA might be helpful in taking the steps to participate as she has recently been promoted to that project.

Mr. Mullin also asked about the \$100,000 settlement that Grace paid in the court action. Mr. Einsegrien felt it was Grace's feeling that it covered most of the town's costs. Mr. Mullin asked if Grace considered it as their full moral obligation to the Town. Mr. Eisengrein did not feel that would be the limit of what they would do for the Town.

Eisengrein further complimented Lou Ingram, he is a smart guy with more power than Mr. Murphy. He felt they would cooperate. He did feel that Grace didn't want to give up the property, but felt they would be cooperative in the reuse, it is zoned light industrial and could be used for an industrial park if the town was not interested. While the clean up was to a good level, he did not want to see residential use at that site. However, he noted the close proximity of the Foster Masonry site which might be linked to form a new phase.

Mr. Hunter expressed his excitement over the possible use as a infiltration site for sewer use. He asked staff to look at the property to see if it could be used for this use. He said it might be a good alternative to the Adams Street site and directed staff to engage the Board of Health Director in the feasibility of this use.

Mrs. Tavernier echoed Mr. Hunter's interest. She felt it had potential for many reuses. Particularly as a second site for infiltration and location adjacent to the warehouse type buildings that could be used to hold the equipment needed to process the sewerage.

It was noted that a tour of the site might be very helpful and should be conducted before March when the site would be reactivated and more difficult to access. Eisengrein said the new Project Manager was very cooperative and he was sure it could be arranged.

Mr. Kabakoff asked if Mr. Eisengrein knew what they had in mind for the property and if he felt that Grace wanted to retain it. He was not sure of any desires Grace might have for reuse.

Mr. Friedrichs thought he should get some feedback before we went on the tour. Mr. Eisengrein felt we could ask them what plans they have for their property as an opener to discussions and a tour of the property. It was noted that Nancy Banks should be invited to tour the site as she was the Town Manager during the initial contamination in 1980. The Town Manager was asked to pursue this tour with Mr. Eisengrein.

DON HERSKOVITZ LRTA UPDATE

Mr. Herskovitz outlined the development of RTA's. The 70' Oil Embargo began the development of the use of trains, buses and types of transportation geared to mulit/group commuters. There are 14 RTA's in Massachusetts. Acton is one of ten in the LRTA. LRTA is very progressive and serves 1 1/2 million per year in addition to 90,000 elderly and handicapped served by the Roadrunner and COA vans with a 4.8 million enterprise budget. LRTA operates out of the Thorndike Street Mulit-modal Building in Lowell, with buses, shuttles, trains. All ADA regulations are in place and drug and alcohol monitoring of staff used. They do not like to raise fares and fares have been augmented by the rental of store front space at the Thorndike Street facility and other innovations such as electric trains.

The Roadrunner and COA Van serve both the disabled and elderly (60+ yrs.). Currently, the Roadrunner uses a 1992 van and COA uses a 1994 EMC Ford. They make 6,600 trips and the Roadrunner make 6,800 per year. The use varies from medical appointments to meal site activities. The cost is subsidized and the fee to the user is modest.

When asked about how LRTA had become involved in the Biker Locker issue, he felt that since the conduit already existed, the LRTA was chosen to disperse the funds because as the channel was already in existence it was the easiest route. He noted that he also works with COA and represents their needs to LRTA as a liaison.

Mr. Mullin thanked him for continuing to represent Acton as our Representative.

Mr. Freidrichs asked who handled the train from Lowell, he replied Amtrak was handling that route.

Mrs. Tavernier asked if he were familiar about the access to the Fitchburg line. He was not familiar with the route but felt it might be freight related. She further noted that by joining LRTA vs. MBTA that the Town had saved thousands of dollars in assessments.

Mr. Mullin asked how Mr. Kennedy was doing in his position. Mr. Herskovitz said he was doing a great job and he would be happy to coordinate Mr. Kennedy's appearance before the Board for further discussions and future transportation

possibilities. It was noted that it would be nice to schedule it after Town Meeting in May or June. Staff was asked to coordinate this with Mr. Herskovitz.

WILLIAM MULLIN - MOVED TO appoint Mr. Sheldon Herskovitz as Acton's Representative to LRTA for a term of one year. DORE' HUNTER - SECOND. UNANIMOUS VOTE.

KELLY'S CORNER PLANNING COMMITTEE

Mr. Richard Croswell of the committee was present with several members of the committee to update the Board of Selectmen on the status of the committee's work. They will be holding a Public meeting on January 24, at 7:30 and plan to make a presentation and solicit feedback from the town. He reviewed the packet of information they will be discussing and potential zoning articles for discussion at that public meeting. He said the committee had solicited much feedback about where the citizens wanted this area to go. The committee was looking at it as becoming much like Lexington or Concord with buildings closer to the street and closer together and parking in the rear of the property. All these changes would require zoning changes. They wanted to create design standards and buffer zones where residential lots exist. They felt the traffic study in the Capital Plan is very important and would be helpful. The rezoning of the Haartz property would allow them to expand and have a larger buffer and in turn would eliminate the potential of 20 house lots.

The Adessa site on Hosmer Street is not proposed as retail space and would address traffic and lighting issues. Mr. Kabakoff asked about if the two zoning articles passed at Town meeting regarding that site. Mrs. Tavernier felt that the placement of the Citizen's petition on the warrant after the 9 Kelley's Corner articles would control it, however, it could still be amended on the floor, that would require a majority vote, but zoning requires 2/3rd vote, but speculated that the last changes made would take precedence. Staff will look into the issue.

The Chamber would like to see design standards and increased FAR's.

Mr. Mullin thanked the Committee for their work and helpful update. He was pleased that they monies for the traffic study had helped them with their work. Mr. Croswell too noted the importance of the results of the traffic study in determining the outcome of their work and suggested articles.

SELECTMEN'S BUSINESS

WAN DISCUSSION - The Board reviewed the memo of support from the Finance Committee Chair. Mr. Mullin was thankful to the Finance Committee for recognizing the report and their review.

Mr. Kabakoff noted the Fincom concerns stated. Mr. Hunter felt they they would be considered. He was not sure on staff training requirements but a plan would be developed and that security was the issue with the terminals at the school sites to prevent possible hacking. They will come back later and interegrate and expand those

sites, and the committee will be activated to accomplish those activities. Mr. Kabakoff expressed some reservations but wanted to move forward with implementation. It was noted that most of the points raised could be addressed by the Fincom reviewing the lenghtly RFP that was developed. John Murray was asked to forward the Fincom a copy of the RFP to clarify the points raised.

WILLIAM MULLIN- Moved to instruct the Town Manager to move forward with WAN implementation. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

BUDGET DISCUSSION - Mr. Kabakoff was interested in knowing when the schools would present their numbers of need, and frustration on how the Board could develop its numbers/budget without knowing what the schools expectation of funds would be. Mrs. Tavernier wanted to discuss the numbers as they pertained to need and the established ALG Plan. Mr. Mullin felt the plan that had been developed in August and was a planning tool. He felt a solution for both school and town needed to be developed. He noted that the schools have a operation need and are in need of physical improvements.

Mrs. Tavernier was concerned that ALG numbers had been developed and now they were changing drastically. Mr. Mullin said that he was never "wedded" to the numbers and Mr. Hunter noted that to a degree, that we have a process and hoped we didn't have large jumps, he wanted to avoid surprises at Town Meeting like the ones last year.

FREE CASH GUIDELINES AND FINCOM WORKSHOP - The Board thought that this could be helpful. Mr. Kabakoff felt it is essential to have this meeting and to review the numbers every year to use as a planning tool. It establishes a road map, forces one to focus out on a five year window. Don Johnson has had conversation with Sharron Gaudet about the workshop. Sharron has indicated that she would require some staff support.

TOWN MEETING DATES - Mr. Johnson has spoken with the Moderator and he would be available on 1, 2 and again on the 8th or 9th if needed.

MAGIC MEETING - Mr. Mullin expanded on the MAGIC AND MAPC documents in the packet. It was noted that the Water Representative was Ron Parenti. The Town Manager said that he plans to have a Geo-base on-line that will be compatable with the Engineering Departments CAD data and also with other departments.

CONSENT AGENDA

NANCY TAVERNIER - Moved to accept the Consent Agenda items 8, 9, 12 and 13. DORE' HUNTER - Second. UNANIMOUS VOTE.

Mr. Kabakoff wanted clarification on the plumbing fee schedule. Don Johnson explained that it was a change that benefited homeowners by limiting permit fee.

HERMAN KABAKOFF - Moved to approve. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE.

WILLIAM MULLIN - Moved to accept the gift of the DOVE Equipment to be used by the Police Department. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

The Minuteman Tour date was discussed it was noted that the Board members could go on different dates if they could not all be available on the same day.

HUMAN RIGHTS MAIL BOX REQUEST - WILLIAM MULLIN - Moved to approve the request for a mail box at Town Hall. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

MMA VOTING DESIGNATION - NANCY TAVERNIER - Moved to give voting designation to Don Johnson for the upcoming MMA Meeting. DORE' HUNTER - Second. UNANIMOUS VOTE.

SEWER STUDY - The Board discussed the funding of the Study. Mr. Kabakoff felt it should be reviewed to determine where the funding would come from. Mr. Hunter noted that this would be a good use of the Bottom Line Budget funds. DORE' HUNTER - Moved to direct the Town Manager to expend a maximum of \$9,000 from the current Bottom Line Budget of the current year to fund the SEA review as outlined in the memo. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

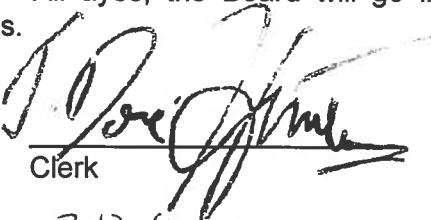
The Board asked staff to provide a list of balances of un-appropriated articles for Board review.

BOY SCOUT CAMP ACTON PURCHASE - Don noted he has signed, the P&S, delivered it with the check to the Escrow Account. It will be forwarded to the Boy Scouts for a March 1 closing date. They are working with Joel Learner for funding. EOCA assures we have nothing to worry about with regard to the hunting issues.

EXECUTIVE SESSION

DORE' HUNTER - Took roll call - All ayes, the Board will go into executive session to discuss strategy for negotiations.

The Board adjourned at 10:30 P.M.



Clerk

3-12-96
Date



Christine M. Joyce
Recording Secty.
jan16, 1996.DOC

January 12, 1996

TO: Board of Selectmen
FROM: William C. Mullin, Chairman
SUBJECT: Selectmen's Report

AGENDA
Room 204
January 16, 1996

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:35 **Kelly Ryder** - Ms. Ryder will be in to interview for appointment to the Personnel Board. Enclosed please find her Citizen Resource Sheet and VCC Recommendation.
2. 7:45 **Robert Eisengrein - Aces** - Mr. Ensengrein will be in to discuss Land Use at W. R. Grace. Enclosed please find materials previously submitted by Mr. Ensengrein for Board review.
3. 8:00 **Don Herskovitz - LRTA** - Mr. Herskovitz will be in for a general discussion of LRTA issues.
4. 8:30 **Kelley's Corner Planning Committee** - Presentation of Zoning recommendations for the Spring Town Meeting.

III. SELECTMEN'S BUSINESS

5. WAN - Please see enclosed report from the Finance Committee.
6. BUDGET DISCUSSION - On going Discussion
7. MAGIC MEETING - Chairman will report to the Board.

IV. CONSENT AGENDA

8. APPROVAL OF MINUTES - Enclosed please find minutes for December 19th for Board acceptance and signature.
9. STREET ACCEPTANCE - Enclosed please find a copy of the Orders of Taking for Board Signature. The Public Hearing is scheduled for February 27, 1996.

10. FEE SCHEDULE ACCEPTANCE - Enclosed please find the revised Plumbing Inspector's Fee Schedule for Board Approval.
11. ACCEPT GIFT - Enclosed please find a request from the Police Chief for Board acceptance of a Domestic Violence Emergency Response System (DOVES) for Board action.
12. COUNCIL ON AGING APPOINTMENT - Enclosed Please find a recommendation for appointment of Mr. Steve Olesin to the COA for a term of one year for Board action.
13. ACCEPT GIFT - Enclosed please find a request from the Police Department to accept a donation to be used for the DARE Program for Board action.

V. TOWN MANAGER'S REPORT

14. MINUTEMAN VOC TOUR - The Town Manager will ask for Board preference regarding the proposed tour.
15. HUMAN RIGHTS COUNCIL - The Town Manager will seek policy guidance from the Board regarding the enclosed memo.
16. MMA VOTING DESIGNATION - Enclosed please find Voting designation authorizing Town Manager to vote on behalf of Acton for Board action.

17. SEWER STUDY - Enclosed please find materials from the Town Manager and Health Director. The Town Manager will seek direction from the Board.

VI. EXECUTIVE SESSION

18. There will be a need, please see the enclosed materials

MEETINGS

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.

Jan. 30 West Acton Playground - Gardner Field
Feb. 13
Feb 27 - Street Acceptance Public Hearing

Pcc/Jan 16.DOC