

BOARD OF SELECTMEN MINUTES

May 22, 2006

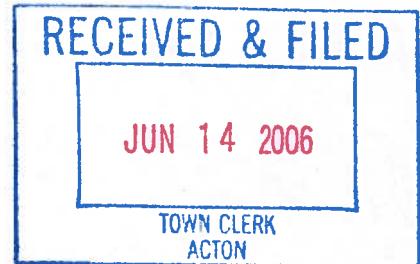
All Board members were present the Town Manager and Assistant Town Manager were at meeting, the meeting was televised.

CITIZENS' CONCERNS

None

SEWER COMMISSIONERS' BUSINESS

None



PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE – Don noted that we have had trouble with magazine solicitors in Acton neighborhoods. The salesmen must register at the Police Station and obtain a name tag from the police. The neighborhood started to call the police about the tactics of one of the Salesmen. If someone knocks at your door they should have name tag, and call the police if they don't have one.

DOG HEARING – GERARD SULLO, 62 MAPLE STREET – Doug Wilkins, Town Attorney, and Chief Widmayer were present to begin the meeting. Atty. Wilkins said that he has 14 exhibits. After consultation with Mr. Sullo's Attorney, they agreed to a Proposal that would require a banishment of both dogs from anywhere in Acton. The dogs to be removed within 30 days and the December notice will stand. Mr. Sullo will be asked to notify the Dog Officer when the dogs leave town and the Dog Officer shall notify the town that they will be moving to.

Dore' said it was a good settlement.

Andy said that where ever the dogs go, we should not just be transferring our problems to some one else.

Dore' said that we should notify the municipality of the issues in Acton.

Lauren did not want to put other town's citizens in danger. Lauren wanted to make sure they were notified.

DORE' HUNTER – Moved to Accept Settlement as offered. PETER ASHTON – Second.

Chief Widmayer was in favor of the settlement. He wants to be sure that Mr. Sullo understands that if those dogs are found anywhere in Acton, they will be destroyed. Atty. Fenniman said that his client understands the restrictions.

TRANSPORTATION ADVISORY COMMITTEE (TAC) GREAT ROAD TRAFFIC

RECOMMENDATIONS/REPORT. Ann Sussman introduced her committee. They have been preparing this report for two years. They had a very well attended community forum. The public is concerned about speeding and accidents as well as turning. Ann said they will offer some suggestions that might change things a little. Art Wu gave a power point presentation. Their recommendations are to incorporate Sidewalk Design Guidelines into site plan review process

and TAC or other bodies be advised to develop other strategies to address Great Road Transportation issues.

Lauren asked about the lighting and tree buffer preference, they felt that they would show it how it could be. In some cases they might not have trees. Lauren wanted to see safe crossings.

Andy talked about keeping your options open for design and start first with safety features. Andy spoke about brick side walks and how well they looked. Don noted the cost of this type of material as well as ADA requirements made its cost high.

Dore' noted the sidewalks that meander would be tuff for the maintenance of the sidewalks, such as plowing. Dore' noted that Mass Highway should be notified of where we want the sidewalks and let them know what we suggest.

Peter was glad to see the terrific report and he asked about the implementation and trying to work better with Mass Highway. Peter agreed that we should be going forward with crosswalks and putting in the stop light at the Brookside Mall. It will be easier to install there instead of Concord Road and it is already paid for. Peter suggested getting the feed back on the Brookside Mall stop light.

Don will notify Mass Highway about the conditions at the Brookside Mall that has to be complete by November 2007.

SEPTIC SYSTEM TITLE V WAIVERS ISSUES, FLINT/SPENCER ROAD NEIGHBORHOOD

Bill McGuiness of the Board of Health spoke about Title V waivers for the Flint/Spencer Road Neighborhood. The Board of Health discussed the waivers and suggested two year waivers vs. five. They want the Town Council's opinion revised. The Board of Health was concerned that they might have to withdraw waivers. It is very difficult to have people install a compliant system and then ask them to hookup. The Board of Health felt that a two year waiver would allow us to get status of the District with DEP and would allow those people to design and raise monies. And if it goes smoothly, they would alter the Waiver.

Don spoke about the motion being written with the waiver in mind. Don was troubled to anticipate funding within a year. Counsel has indicated that the BOH has the five year option and DEP can extend it further than 5 years.

Andy Munro wanted to have a longer waiver because of the uncertainty of selling homes

Don Barron – Was in favor of the five year term.

33 Tuttle supports the five year would make it easier with selling the property.

Andy Munro asked about the installation of private systems and that they might loose the support for sewers if an owner had just installed a system that is working.

Dore' noted that he did not feel it would be ready in 2 years. We need to get design money get a design and get DEP to issue permits which could take another year. He does not think we will have a shovel in the ground. Dore' felt the Town should issue 5 year waivers.

Peter agreed with the rest of the Board that we would recommend and support the five year waiver.

Lauren reiterated that we will be going forward when approved. Town Meeting was promised things. An education program needs to be developed.

Walter said that it makes sense to have the five year waivers. He asked that Bill bring the Board suggestions back to the Board of Health in support of the five year waiver.

SELECTMEN'S BUSINESS

WATER RESOURCES ADVISORY COMMITTEE – The group will be disbanded as the task has been completed and they will be having a new committee formed to shepherd the next stages of WWT Treatment area. The memo is just an outline of a steering committee to including feasibility and a planning phase with sub-groups in needs area. They have received a letter from Art Gagne's outlining he added input. He felt we should not limit the number of people in the areas and in the sub-groups. Lauren said they want to have an extended larger committee representation.

Andy added that Art's comments were very good. He said we will need a substantial number of volunteers as this could require larger committee participation. Andy felt we needed to define what the next steps and key issues are and what does the current committee think.

Dore' noted that the Public Safety Building Committee had no trouble with the size of the group. He suggested that we find people from the needs area. Andy felt we needed to discuss the public input.

Peter said that goals and objectives needed to be discussed at their first meeting. Peter was not sure we needed business owner or EDIC and would rather felt that an odd number. He agreed that Art's suggestion of adding the ACHC.

Lauren said that West Acton Village would include the HDC members as it is an Historic area.

Walter asked how many subgroups in the neighborhood. Andy said that they don't really know at this point how many would be involved. He said it needed to be fleshed out in the committee.

Walter asked about the number of Selectmen on the committee. He felt we have to have two selectmen on the Committee. Dore' said that it was important to keep both on. Walter said that next steps will need to be fleshed out.

SEALER OF WEIGHTS AND MEASURES, FEE INQUIRY – Walter discussed the fee charged by the Sealer of Weights at Idlywilde Farms. Don noted that Doug Halley gave a very good outline of the charges. Peter said that Doug has done a great job explaining how the costs have risen. Peter said he would recommend a letter to be sent simply summarize the rationale in Doug's memo. All the Board agreed. It was noted that the fees have not gone up in six years. The Manager was asked to draft a cover letter for the Chairman's signature including the back up for Mr. Napoli.

TJ O'GRADY MEMORIAL SKATEBOARD PARK - Don updated the Board on the schedule of the delivery of the ramps. The committee hired a consultant from New Hampshire to review and test the welds. They have tested out. Don will be contracting with the Vendor to do extended reviews.

The TJ O'GRADY representatives requested permission for sponsor signs at the Park and the will be 4 feet high and don't expect more than 10 to 20 signs. Don to look into Veteran's park issue of signs and what they do and how it is controlled.

- Lauren asked about the signs. She asked if they would try it for a few years. Dore' said it should not obscure the view to the park.

Andy was concerned that they might have 80 feet of signs. He noted the ones that are at Veteran's Park are changed. He wanted a sketch for the placement, and see if we needed to review policy.

Walter wanted to have control of advertising signs and he wanted to look at a policy for signs and how long we should approve for. He thought that we might take this up later. Lauren thought that they should consider rotation or plaque to recognize those who supported the Park. They will discuss this later in the meeting or at the next meeting.

BOY SCOUT COURT OF HONOR – Selectman assigned will be Dore'

OTHER BUSINESS

Dore' representing ANN, commented that we have not made progress like Concord has. He noted the protocol for disseminating information from the Police Chief. They have come to a halt at this time. Dore' said that if they looked at the organization of the committee and he felt it is flawed. They have had a severe weakness of sending out notices during the day time hours, as people work. He wanted to shift over to the dial up to contact neighborhood representation. He is concerned that we continue to maintain the representatives in the neighborhood. Dore' suggested the use of the peg channels to get the information out. The same is true about the radio station which has a limited range. This needs to be brought under the Town's tent and address liability issues that may be perceived.

Peter suggested that Town Manager come back with suggestions. Peter felt it would be a good topic for the State of the Town and drum up new members.

Lauren said that we have cohesive neighborhoods and there is interest in the neighborhoods.

Peter noted that he is waiting for an updated E-Mail Policy from the Town Manager. Peter is working on Don's review and asked for board input for the next meeting.

Lauren will be attending MAPC annual Meeting and there are elections to the MPO Transportation group. Lauren asked that the Chairman authorize her to represent him at this meeting allowing her to vote. Manager will be preparing the letter for the Chairman's signature.

Lauren spoke about the parking lot and the fees that are increasing. Peter asked about a senior rate for the parking lot. He suggested that we might want to have a discounted rate.

Walter attended the Chinese School and came away with suggestions. It was suggested that a person from the school coordinate with the Town. He also suggested bringing them to the Arts Council's attention.

Walter briefed the Board on the Middlesex Retirement. PERC is sponsoring a meeting on retirement and he will be attending.

Andy suggested that we disband the Sculpture Park Committee as a resolution and easement were gained without the Town's further involvement.

CONSENT AGENDA

DORE' HUNTER – Moved to approve with minutes and Davis Place held by Andy. PETER ASHTON – second. UNANIMOUS VOTE.

DORE' HUNTER – Moved to approve Minutes with changes, Davis Place and additional Extra Consent to accept gift. ANDREW MAGEE – second. UNANIMOUS VOTE

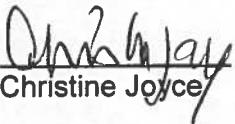
Davis Place – Andy asked about the letter from Housing Development and made changes to the first page of the minutes of March 27, 2006 to reflect Mia Spies meeting with the Board.

TOWN MANAGER'S REPORT

No Report

EXECUTIVE SESSION

Lauren took roll call, all ayes. For the purpose of discussing Litigation.


Christine Joyce


Lauren S. Rosenzweig, Clerk

DATE

AGENDA

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

MAY 22, 2006

**Francis Faulkner Hearing Room
Acton Town Hall
7:00 P.M.**

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III PUBLIC HEARINGS & APPOINTMENTS

1. **7:05 OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. **7:15 DOG HEARING, GERARD SULLO, 62 MAPLE STREET** – Enclosed please find materials in the subject regard, for Board consideration.
3. **7:45 TRANSPORTATION ADVISORY COMMITTEE (TAC)** - Members of TAC will be in to present their report/recommendations regarding Great Road.
4. **8:15 SEPTIC SYSTEM TITLE V WAIVER ISSUES, FLINT/SPENCER ROAD NEIGHBORHOOD** – Enclosed please find materials in the subject regard, for Board consideration.

IV SELECTMEN'S BUSINESS

5. **WATER RESOURCES ADVISORY COMMITTEE** – Enclosed please find materials from the Health Director in the subject regard, for Board consideration.
6. **SEALER OF WEIGHTS AND MEASURES, FEE INQUIRY** – Enclosed please find materials in the subject regard, for Board consideration.
7. **TJ O'GRADY MEMORIAL SKATEBOARD PARK** – Enclosed please find a request for Board permission to hang signs to honor sponsors, for Board consideration.
8. **BOY SCOUT COURT OF HONOR, KEVIN T. LEMAIRE** – Enclosed please find an invitation to Mr. Lemaire's Court of Honor on June 18, 2006, for Board assignment.
9. **OTHER BUSINESS**

VI CONSENT AGENDA

10. **ACCEPT MINUTES** – Enclosed please find Board of Selectmen's Minutes for March 27, 2006, for Board consideration.
11. **DAVIS PLACE, 159 PROSPECT STREET, CHAPTER 40B COMPREHENSIVE PERMIT** – Enclosed please find materials in the subject regard, for Board consideration.
12. **REQUEST TO USE TOWN COMMON** - Enclosed please find a request from the Acton Minutemen to use the Town Common for practice on June 19th, for Board consideration.
13. **NARA PARK REQUEST FOR FEE WAIVER (CONFIDENTIAL)** – Enclosed please find confidential materials in the subject regard, for Board consideration.)
14. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Meg A. Buckingham for a One Day Liquor License at NARA Park, for Board consideration.
15. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Jay Manning for a One Day Liquor License at Breezy Point Road, for Board consideration.

VII TOWN MANAGER'S REPORT

VIII EXECUTIVE SESSION

THERE WILL BE A NEED FOR 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 12 & 26	Sept. 11 & 25
July 17	Oct. 16 & 30
August 14	Nov. 13 & 27

GOALS 2004-2005

1. Produce Morrison Farm Development Master Plan (Walter)
2. NARA Park
3. Pursue Commercial Tax Base
4. Master Plan review meeting once per year

GOALS carried forward

5. Monitor Labor Negotiations (Peter)
6. Improve Communication with Town Boards (ALL), Improving Inter-Board Communication (Dore')
7. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Peter)
8. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
9. Process Planning for "Life after NESWC"
10. Middlesex Pension Alternatives (Walter)