

## **SELECTMEN'S MINUTES**

### **September 28, 1998**

**Present:** Wayne L. Friedrichs, Herman Kabakoff, F. Dore' Hunter [partial attendance], Peter Ashton, Nancy Tavernier, Assistant Mgr. Murray. (The meeting was televised)

#### **CITIZEN'S CONCERNS**

Mr. Heitman - Mr. Heitman was present to discuss his continuing concerns with regard to Lupine Path. He was concerned about impact on the town when a contractor does not do what is required and nothing is done to make him comply. He asked about the Escrow accounts and use of them when they do not fulfill their commitments. He feels that the Town can enforce topo features and supply before and after documents to ensure compliance. He was very concerned that the tree line was abused and the contours have been ravaged on the Lupine Path site. He wanted to have our counsel look into seeing what we can do rather than let the developer get away with these types of violations. He asked what other towns do? Long term do we have laws that hobble us, can we change and plan for the future? He is willing to gather information and work on this so that it doesn't happen in the future with developers in Acton.

Mr. Aronson, Chairman of the EDC – He wanted to thank Peter and Nancy for comments of the Plan. They will be meeting as a committee Thursday and will address them. They will then ask that the Board of Selectmen give them 10 or 15 minutes on an upcoming agenda to discuss the plan and changes to it.

#### **PUBLIC HEARINGS AND APPOINTMENTS**

##### **ROBERT OLIVERI BOARD OF HEALTH INTERVIEW**

Mr. Oliveri summarized his background and experiences with regard to the medical and military service he has been involved with. He has attended one Board of Health meeting and feels he would be able to offer his experience. He was asked his opinion on sewers. He said that he has noticed since living in his condo at Drummer Farms that it appears that they are quite frequently doing pumping and checking with the private systems. He supports the sewers for Acton and the environment.

Nancy asked if he would be willing to serve on another committee if he were not selected for BOH. He said yes, he had experience in transportation and might consider that.

##### **WILLIAM THISTLE PLANNING BOARD INTERVIEW**

Mr. Thistle has attended many Planning Board meetings and feels he can offer suggestions and ideas to the Board. He feels that from his experience with the Planning Board he has a different insight and will offer his ideas on how best they can improve the

Towns operation. Nancy said that she felt it was a good way to learn what is expected and happens on the Planning Board by serving as an Associate Member.

Herman noted that he knows Mr. Thistle and feels he will have a lot to offer the Planning Board.

Nancy Tavernier – Moves to appoint William Thistle to a one-year Associates position on the Planning Board with term to expire June 30, 1999. HERMAN KABAKOFF – Second. UNANIMOUS VOTE.

**JORGE VELIZ  
BOARD OF HEALTH INTERVIEW**

The Board discussed Mr. Veliz's background and interest in the Board of Health. He has lived in Acton for the past 11 years and feels he could offer his expertise by offering to serve as a member of the Board of Health. He felt that he could not offer another Board what he could offer the Board of Health. He would not be willing to serve on another committee at this time. The Board of Selectmen advised Mr. Veliz that they would get back to him when the final decision made.

**SELECTMEN'S BUSINESS**

**SPECIAL TOWN MEETING WARRANT ARTICLE AND SPECIAL OVERRIDE**

**ELECTION DISCUSSION** - Jesse Liberty of the School Committee was present to answer any questions that the Board might have with regard to the December 1st Special Town Meeting. Boxboro is in line he has checked with Boxboro, they have no outstanding issues. He said they are eager for the December 1st Special, they want it to work. Nancy Tavernier noted that Don MacKenzie will be out of town and we would be using a replacement moderator. Jesse felt that while it was unfortunate that Don is not available, they felt confident with Mr. O'Brien.

**DORE' HUNTER** – Moved to set the Special Town Meeting for December 1, 1998 at 7:00 P.m. in the Acton Boxborough Regional High School for the purpose of presenting and voting of a new school proposal, and further to close the Warrant for that Special at the close of business on October 9, 1998. **NANCY TAVERNIER** – Moved to Second. UNANIMOUS VOTE.

**DORE' HUNTER** – Moved to schedule a Proposition 2 1/2 Override Election on December 8, 1998. Noting that the Board of Selectmen do not consider this to establish a president for the future calling of Special Elections for Overrides. **NANCY TAVERNIER** – Second. 4-1 Herman Kabakoff Abstaining. Motion Passes.

The Board discussed the need for copies of the RAG for distribution at the Meeting on October 5<sup>th</sup>. Herman thought that the school should split the cost of producing the copies. **NANCY TAVERNIER** – Moved to have 300 copies of the RAG prepared for Town Meeting. **PETER ASHTON** – Second. 4-1 Dore' Hunter Abstaining. Motion passes

**61A Offer** – The Board discussed the offer of the parcels off Newtown Road and staff comment regarding the offer. NANCY TAVERNIER – Moved to take no Action on the 61A right of first refusal offer presented the Board. PETER ASHTON – Second. UNANIMOUS VOTE.

**THEATER III BANNER REQUEST** - Nancy had a problem with the Town placing three tax banners up and felt we should free up space for Theater III to place their banners in harmony with the guidelines established for the hanging of Banners. NANCY TAVERNIER – Moved to approve the location requested by Theater III for the dates originally requested. PETER ASHTON – Second. UNANIMOUS VOTE.

**OTHER**- Nancy wanted to update the public on the recent activities and actions regarding sewers. The DEP will allow 25,000 GPD at the Adams Street site, the capacity is indeed 250,000 which is actually 300,000 capacity. This will allow for 180 additional users to join the district. They have sent letters to the property owners asking them to come to a meeting at the Jr. High on Thursday at 8:30 to meet with the Sewer Action Committee.

#### CONSENT AGENDA

NANCY TAVERNIER - Moved to approve. PETER ASHTON - Second - UNANIMOUS VOTE.

#### TOWN MANAGER'S REPORT

#### EXECUTIVE SESSION

NANCY TAVERNIER – Moved to enter into Executive Session for the purposes of security and deployment issues. PETER ASHTON – Second. Roll Call taken, all AYES. The Board moved into Executive Session, to adjourn at the conclusion and not enter back into public session.

The Board adjourned at 8:30 P.M.

Nancy F. Tavernier  
Clerk  
11/3/98  
Date

Christine M. Joyce  
Recording Secty

September 25, 1998

**TO:** Board of Selectmen

**FROM:** Wayne Friedrichs, Chairman

**SUBJECT:** Selectmen's Report

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**[Please note this is a MONDAY. Start time is 7:00 P.M.]**

**AGENDA**

Room 204

September 28, 1998

7:00 P.M.

**I. CITIZEN'S CONCERNS**

**II. PUBLIC HEARINGS & APPOINTMENTS**

1. 7:31 ROBERT OLIVERI - COMMITTEE INTERVIEW, BOARD OF HEALTH -  
Enclosed please find Robert Oliveri's Volunteer Application and VCC comment for Board review.
2. 7:35 WILLIAM THISTLE - COMMITTEE INTERVIEW, PLANNING BOARD -  
Enclosed please find William Thistle's Volunteer Application and VCC recommendation for full membership with an expiration date of June 30, 2003 for Board review and action.
3. 7:40 JORGE VELIZ - COMMITTEE INTERVIEW, BOARD OF HEALTH -  
Enclosed please find Mr. Veliz' Volunteer Application and VCC comment for Board review.

**III. SELECTMEN'S BUSINESS**

4. SPECIAL TOWN MEETING and SPECIAL OVERRIDE ELECTION - Enclosed please find materials for Board discussion and decision regarding the School's request for a December 1 Special Town Meeting and a December 8 Special Election.
5. 61A NOTIFICATION - Enclosed please find a letter from Isabella Choate offering the Town the Right of First Refusal with regard to Parcel D3-5, Newtown Road, along with staff comment, for Board action.
6. THEATER III BANNER REQUEST - Enclosed please find a request for a waiver of the Banner Rules, along with staff comment, for Board action.

7. OTHER

**IV. CONSENT AGENDA**

8. **ACCEPT MINUTES** - Enclosed please find minutes of August 18 and September 1, 1998 for Board acceptance.

9. **GEORGIA E. WHITNEY CHARITY FUND REQUEST** - Enclosed please find a confidential request and supporting documents for Board action.

**V. TOWN MANAGER'S REPORT**

**VI. 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.

**October 13 - BOH interviews  
School Bldg. Presentation**

**Nov. 3 - [Mtg. Starts at 8:00 p.m.]  
Coles Brook Continuance**

**Nov. 17**

**December 1 [Possible Special Town  
Meeting]**

Pcc./ Sept2898.doc