



SELECTMEN'S MEETING

NOVEMBER 21, 1995

The Board of Selectmen held their regular meeting on Tuesday, November 21, 1995, at 7:30 P.M. Present were William Mullin, F. Dore' Hunter, Nancy Tavernier, Herman Kabakoff, Wayne Friedrichs, Town Manager Don Johnson, and Assistant Town Manager John Murray. {The meeting was not televised by cable}.

CITIZENS CONCERNS

None Expressed.

Bill Mullin stated that he was pleased to announce that the proposed tax rate will be lower than it has been in previous years. Dore' pointed out that it is important to know that the tax rate is a combination of your assessed rate and the value of your home meaning that if the value of your home increases your taxes will be reflected as such.

PUBLIC HEARINGS AND APPOINTMENTS

ACTON BEVERAGE
133 GREAT ROAD
PLEDGE OF LIQUOR LICENSE

Attorney Lawrence Boisvert was present on behalf of Acton Beverage. Mr. Boisvert stated that in April of 1995 Acton Beverage pledged their liquor license to the Bank of Boston. Acton Beverage now wishes to refinance with Middlesex Savings bank and needs Board of Selectmen approval to change the pledge. The Bank of Boston has signed a release. NANCY TAVERNIER - Move to approve the pledge of Acton Beverage's liquor license to Middlesex Savings Bank. DORE' HUNTER - Second. UNANIMOUS VOTE.

SEWER COMMISSIONERS DISCUSSION

Dore' asked that this item be put on the agenda for discussion. Dore' stated that based on the debate that existed at the Special Town Meeting he thought that the Board should adopt a policy resolution.

DORE' HUNTER - Move that the Board of Selectmen adopt a policy resolution that it seeks designation as Sewer Commissioners, by vote at the upcoming Annual Town election, only as a temporary expedient in order to meet the dictates of the Mass. General Laws in regard to issuance of regulations for operation of the start up of any municipal

sewer systems, with the intent to transfer the governance of any municipal sewer systems, with intent to transfer the governance of any municipal Sewer Systems created to District organization. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Herman stated that he was pleased with the Board's action. Bill stated that this vote to have the Selectmen act as Sewer Commissioners at the Special Town Meeting was intended to keep the process going.

TAX CLASSIFICATION HEARING

Jim Kotanchik, Board of Assessors, presented the Board with four votes that are required regarding setting the tax rate. The four are as follows: 1. Open Space Discount. 2. Residential Exemption. 3. Small Commercial Exemption, and 4. Shift Tax Burden between residential and CIP classes. Mr. Kotanchik stated that if the Selectmen vote the Open Space Discount then residential rates will go up slightly, and if the Board votes to shift the burden, what figure do we use. By Shifting the Tax Burden the Board would need to determine the percentages of levy to be paid by each class, may not be less than the minimum residential factor, Acton's minimum factor is 90.8928%, and a factor <100% means residential property owners will pay a lower proportionate share of the levy. A factor of 100% results in the taxation of all classes at the same rate. A factor >100% results in decreasing the "CIP" proportionate share of the levy. Under state guidelines, Acton could shift between approximately 106.3% TO the "R" class on one extreme, and 150% TO the "CIP" classes at the other.

The "Open Space" Discount is not applicable in Acton. Acton has no parcels classified as Open Space. Open Space is applicable to qualified parcels which contribute significantly to the benefit and enjoyment of the public and may be up to 25% of the Open Space percentage of the tax levy. The Open Space discount would be recovered by increasing the Residential class share of the tax levy.

The "Residential Exemption" reduces the taxable value of a taxpayer's principal residence with certain exclusions and may be up to 20% of the average assessed value of all residential parcels. The Residential Exemption is recovered by increasing the tax levy on the balance of the residential parcels.

The "Small Commercial Exemption" reduces the taxable value of eligible businesses by up to 10%. and eligible businesses are determined by the Department of Employment and Training. Commercial and Industrial classes are given separate rate of tax from Personal Property and Residential and Open Space discounts are not affected. The Small Commercial Exemption is recovered by increasing the tax levy upon the balance of commercial and industrial parcels.

Last year the Board voted to a 90/10% shift.

Bill Lawrence, Acton Area Chamber of Commerce, was present to discuss the tax shift. Mr. Lawrence stated that the shift should be dissolved and that split rates are sending message to businesses that we are anti business. Bill Lawrence stated that there is presently a 15% vacancy. Mr. Lawrence also stated that assessed values on businesses are lower than they have been in previous years and that rent has been lowered significantly.

Bill Mullin stated that he and the Board have worked very hard to change the thinking that Acton is anti-business and is crushed to hear that this is still the perception Mr. Mullin also stated that industrial business is listed as 0% vacancy.

Charlie Kadlec, stated that he owns one residential lot in Acton and thinks that the split tax rate is unfair. Mr. Kadlec stated that the Board is discriminating against one group of taxpayers by utilizing a split tax rate. Mr. Kadlec presented a graph which he feels shows that the split tax rate does not work.

A resident and business owner stated that she would continue to do business in Acton regardless of the tax rate, and very much appreciates the work that the Board has done with the Business Outreach Program.

Nick Miller, 30 Taylor Road, stated that if fairness is associated with a split tax rate then comparing a \$250,000 business to a \$250,000 residential home is like asking why it costs more for a quart of wine than it does for a quart of milk. They are two separate issues.

F. DORE' HUNTER - Move that the Board reduce the tax classification from 10% to 5% residential factor. NANCY TAVERNIER - Second. FOUR YES TO ONE NO.

The basis for this vote was based on the fact that the business climate has not recovered as fast as residential, and that the revenue picture is more favorable than it has been in past years.

F. DORE' HUNTER - Move to take no action on whether to adopt an "Open Space Discount". HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

F. DORE' HUNTER - Move to take no action on whether to adopt a "Residential Exemption" HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

F. DORE' HUNTER - Move to take no action on whether to adopt a "Small Commercial Exemption". NANCY TAVERNIER - Second. UNANIMOUS VOTE.

BANNER REQUEST

EARTH DAY

APRIL 20-27, 1996

Ms. Charlotte Sagoff has requested that a banner be hung over the road from April 20-27, 1996 in order to advertise Earth Day. The Board questioned where the banner will be hung. The Board stated that more information should be gathered and that it should be tabled until December 19, 1995.

SELECTMEN'S BUSINESS

Staff informed the Board regarding the purchasing of "Camp Acton". Members of the committee have presented staff with a draft of the purchase and sale. The Board stated that they should take affirmative action to have the Town Manager and only the Town Manager negotiate with the Boy Scouts regarding the purchase of Camp Acton. F. DORE' HUNTER - Move that the Town Manager be the only agent on the part of the Town to negotiate a purchase and sale and to convey to the Boy Scouts that the Town Manager is the only person authorized to do this. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Nancy stated that she is concerned with the open space bond bill stating that if land is purchased with state money then he may be open to hunting and fishing. Nancy stated that it was important that we get an interpretation on this bill.

The Board asked that Mr. Alpert be scheduled for December 19th.

The Board stated that the Board of Selectmen's meetings will be held on January 2, 16, and 30, 1996 and February 13 and 27th, 1996 and March 12 and 26(8:00 PM start due to elections), 1996.

The Board discussed the results of the Weston Study conducted on the landfill.

CONSENT AGENDA

F. DORE' HUNTER - Move to approve consent calendar as printed. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

TOWN MANAGERS REPORT

USE OF TOWN HALL PARKING LOT FOR DONATIONS PICK-UP

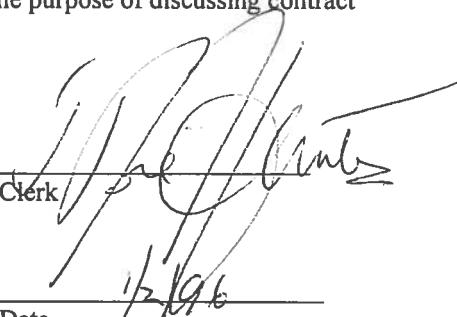
Heidi Schumacher has asked to use the lower Town hall parking lot one Saturday per month to collect donations of clothing and toys to be delivered by Ms. Schumacher to the Martha Eliot Health Center in Jamaica Plain. Ms. Schumacher runs a nonprofit organization. The Board felt this was a well intended cause and that approval could be made on a trial basis.

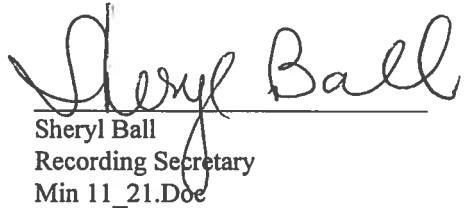
HEATHER HILL ROAD FENCE COMPLAINT

The Board had previously asked the two (2) neighbors of Heather Hill Road to resolve their conflict with each other rather than have Board involvement. This has not been done. F. DORE' HUNTER - Move to require that the fence structure in the public way be removed. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

The Board wanted to remind everyone that there will be a Acton 2001 Leadership Social on December 14, 1995 from 6:30 - 8:00 PM in Room 204 of the Town Hall..

F. DORE' HUNTER - Move to go into executive session for the purpose of discussing contract negotiations. NANCY TAVERNIER - Second. All Ayes.


Clerk
Date 12/14/95


Sheryl Ball
Recording Secretary
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NOVEMBER 17, 1995,

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

AGENDA
Room 204
NOVEMBER 21, 1995

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:35 **ACTON BEVERAGE - PLEDGE OF LIQUOR LICENSE** - Enclosed please find the documents necessary for the Pledge of Acton Beverages Liquor License to Middlesex Savings Bank for Board action.
2. 8:00 **TAX CLASSIFICATION HEARING** - Enclosed please find materials prepared by staff as well as materials submitted by the Acton Chamber for Board review and action.

III. SELECTMEN'S BUSINESS

3. Discussion of Sewer Commissioners'- Selectman Hunter has requested discussion, along with a vote, allowing the Board to act as the interim commissioners.
4. Banner Request - Enclosed please find a request and staff comment regarding placement of a Banner over Route 27 to announce Earth Day for Board action.

IV. CONSENT AGENDA

5. **ACCEPT MINUTES** - Enclosed please find Board minutes of October 10 and 24 for Board acceptance.
6. **ACCEPTANCE OF GIFT** - Enclosed please find a request for Board acceptance of a gift from Mobil Oil relative to Site Plan Special Permit #03/16/93-338 for Board action.
7. **ELIZABETH WHITE FUND ANNUAL DISBURSEMENTS** - Enclosed please find the confidential list of recipients prepared by the Trustees of the White Fund for Board action.

V. TOWN MANAGER'S REPORT

8. **USE OF TOWN HALL PARKING LOT** - Enclosed please find a request to use the Town Hall Parking lot for clothing collection and staff comment for Board review.

9. FENCE COMPLAINT - Enclosed please find a letter from Dr. Chiauzzi regarding the fence installed on Heather Hill Road.

VI. EXECUTIVE SESSION

10. **There will be a need for Executive Session regarding Contract Negotiations. Please see the enclosed materials.**

MEETINGS

SOUTH ACTON BRIDGE GROUND BREAKING CEREMONIES: (still unknown)
2001 LEADERSHIP SOCIAL: TOWN HALL - December 14th 6:30 p.m.

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.

Dec. 5 - Budget
Annual License Renewals(tentative)
Dec. 19 Library Designer Presentation

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