

SELECTMEN'S MINUTES

September 10, 1996



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

CITIZEN'S CONCERNS

Representatives from the Acton Memorial Library Foundation were present to request Board acceptance of funds for 34 Sunday Openings during 96/97 to cover salaries and expenses to operate Sunday openings. The Board again this year thanked the Foundation for their efforts and all those people who contributed to make these additional hours possible. Chairman Tavernier noted with appreciation the Saturday openings this summer. The gift was gratefully accepted.

PUBLIC HEARINGS AND APPOINTMENTS

BOSTON EDISON STUB POLE INSTALLATION FOR TEMPORARY BANNER DISPLAY- MAIN STREET @ TAYLOR ROAD

After much review and work with Boston Edison staff and the Building Commissioner, it has been determined that the appropriate location in Acton Center to be available for temporary banner presentation was on Main Street at Taylor Road. In order to accomplish this a stub pole will need to be installed. Chairman Tavernier explained that this pole is needed and is this installation and location was selected in conjunction with the Board's newly accepted Banner Policy. WILLIAM MULLIN - Moved to approve installation of the Stub Pole for Banner purposes. DORE' HUNTER - Second. UNANIMOUS VOTE.

BOSTON EDISON - INDEPENDENCE ROAD

WILLIAM MULLIN - Moved to approve the installation of new poles on Independence Road. DORE' HUNTER - Second. UNANIMOUS VOTE.

BOSTON GAS RT. 2A To HAYWARD ROAD

Mr. Stanley Newswam of Boston Gas was present to answer any questions and to explain the need for the new main. The current main is aged and nearing its end of reliable life expectancy. The needs of the community for gas have also increased and several new housing developments have required the upgrade of the existing gas distribution system. The new line will be larger and be laid in the ground in the approximate area of the old line. The old line will be capped and left in ground. Nancy

Tavernier reviewed memo's from the Highway Department and Engineering Departments dated September 5th and 6th which outlined items to be agreed to by Boston Gas before granting of this permit by the Board. Mr. Newswan on behalf of Boston Gas agreed to comply with each item listed in the memorandums. Staff has also suggested that per hour fee or lump sum fee be established to oversee this lengthy and time consuming project. The Board agreed staff and the Town Manager could work this out.

Virginia Rhude of the Acton Woman's Club was present to ask that the Woman's Club be minimally impacted as they have functions scheduled. Mr. Newswam noted that they would have all trenched areas plated or covered and they would work with them for minimal impact on their location.

Bonnie Geithner was present to ask for some assurance that the street would be adequately patched as she is impacted at her home by noise when the street is patched and the patch deteriorates. Mr. Newswam assured her that if she had any problems he would take care of them at once.

DORE' HUNTER - Moved to approve the request for installation of the gas main subject to satisfaction of the points noted in memos from Highway and Engineering dated Sept. 5 and 6th and additionally subject to establishment of an appropriate fee for Town Staff review and involvement because of the extraordinary scope of the project, such fee to be determined by Don Johnson and staff. **WILLIAM MULLIN** - Second. UNANIMOUS VOTE.

LAST NATIONAL WINE COMPANY LIQUOR LICENSE TRANSFER OF LICENSE AND STOCK PLEDGE

Attorney Bergeron and Thomas Bacon the petitioner were present to answer questions about the proposed transaction. The applicant has already filed the appropriate permit applications for signage issues and variance requests from the Board of Appeals and will come into compliance either by variance or reduction in size. **DORE' HUNTER** - Moved to approve the various transfer and pledge requests of Thomas Bacon with the condition that the sign be brought into compliance. **WILLIAM MULLIN** - Second. UNANIMOUS VOTE. The Board asked that they be informed of the status of the Appeals hearing at renewal time.

ACTON TOYOTA SITE PLAN AMENDMENT 135 GREAT ROAD

The Board reviewed the proposed additions and alterations to the subject property. Mr. Moran and his engineer were present to answer questions. They propose a garage type building to be used for new car prep., the size and appearance will be much like what already exists on site. Mr. Friedrichs asked about abutters. Mr. Moran is the owner of abutting properties and there are no residential neighbors in the immediate area.

DORE' HUNTER - Moved to approve the Amendment without public hearing as the amendment is sufficiently insignificant and does not require a public hearing. **WAYNE FRIEDRICH** - Second. UNANIMOUS VOTE.

**CLASSIC USED CARS OF ACTON AND CONCORD - 140 GREAT ROAD
CLASS II LICENSE**

Mr. D'Agostine representing his client appeared before the Board for the Class II Application for Classic Cars of Acton and Concord. His clients propose to operate the business in the same location as the current Mirak Rental Company which will be terminating their lease with the owner of the property Mr. McGinness. Chairman Tavernier read the staff comment from the Police Chief which stated he could not recommend granting of this license after his review and background check of the applicants. DORE' HUNTER - Moved to recess in order to have the Police Chief, Atty. D'Agostine and his client discuss the issues. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

Atty. D'Agostine returned after a lengthy session with the Police Chief and asked the Board to continue the hearing until October so that he may work to clear up outstanding issues.

DORE' HUNTER - MOVED to continue the hearing to October 8, 1996 at 7:45 P.M. unless subsequently withdrawn. WAYNE FRIEDRICH - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

FEE WAVIER REQUEST - SCHOOL DEPARTMENT

WILLIAM MULLIN - Moved to deny the request for a General Waiver for All Fees for All the Schools. - WAYNE FRIEDRICH - Second. UNANIMOUS.

Nancy Tavernier noted again that fees from inspections are in the revolving funds for town departments operations, and further noted that the town has paid in excess of \$3,000 to the Schools related to Town Meeting and election costs for FY96. Bill felt it was inappropriate to go back and forth with this request and suggested that it be discussed at the next ALG Meeting between the Boards and asked Nancy to speak on behalf of the Board to that end.

BOY SCOUT COURT OF HONOR

Mr. Kabakoff will attend on behalf of the Board.

CROWN RESISTANCE DAY PROCLAMATION

WILLIAM MULLIN - Moved to sign the Proclamation of Crown Resistance Day, Sept. 29th. DORE' HUNTER - Second. UNANIMOUS VOTE.

Wayne will represent the Board at the function.

ACTIVE RECREATION LAND USE DISCUSSION

William Mullin discussed the memo he prepared for discussion at the upcoming Sept. 24th Board Meeting. He wanted to do a short run to drive policy issues. He will work out a plan/vision with Don for the Sept. 24th meeting to include a mission, goals and visions for the future. Resource issues, roles of management, focus on improving current stock. Hopes to get advice from all areas to take a stab at where Acton's active recreation will be in the next five years. If we take on issues, who manages and the impacts involved will be discussed. Dore' commended Bill for bringing up this in such an orderly manner. Acton has had in the past a very active recreation department and programs and felt Bill's ideas should be discussed with the School to see what impact it would have on them. Wayne felt 2001 should look at discussing and adding to Capital Plan.

POLICE SENIOR OUTREACH PROGRAM - William Mullin noted that he was impressed with the Outreach to Seniors Program and commended Lt. McNiff for his efforts.

CAC - Dore' Hunter reported that the CAC is moving forth at a "Snails Pace". The Towns will be meeting on Thursday to complete a model report on 2020 traffic plan along Route 2.

OCTOBERFEST FEE WAIVER AND BANNER REQUEST

The Board discussed the request for Fee waivers on the various permits. It was noted that all fees were less than \$50.00. DORE' HUNTER - Moved to approve the various fee waivers requested by the Octoberfest Committee. WAYNE FRIEDRICH - Second. UNANIMOUS VOTE.

HERMAN KABAKAOFF - Moved to approve the banner advertising Octoberfest. DORE' HUNTER - Second. UNANIMOUS VOTE.

The Board noted its displeasure that the Banner had been installed and was already exceeding the time limit for display as outlined in their new policy. The Town Manager was asked to transmit the Board's displeasure with the Fire Department's involvement with hanging the banner without authorization

QUARTERLY REPORT FORMAT DISCUSSION

Nancy Tavernier outlined her memo to the Board. The Board agreed that the format should be in a form in which everyone could understand.

Herman is elated with the quality, and it is precisely what they wanted. He expressed a hope that the Fincom will look at and study. The challenge is to distill it in a way the public could use easily. He thinks the Fincom now has data to ask informed questions. He agrees that the challenge will be to distill the information. Herman is now a believer of Pentamation. His personal view is that the Town has come a long way to put the figures out in the public view and sunshine in an understandable manner.

Dore' had concern with the School not using Pentamation. Nancy asked if the Committee will be distilling it to make it user friendly. The usefulness to the public is what the intent of the Bylaw passed at Town Meeting was to accomplish. The Sub-Committee will wait until Tess implements the new Report Writer to attempt to distill.

Wayne agreed with Herman, on the other hand he feels that this version was necessary to get to the next meeting.

Sidney Johnston from the Sub-Committee stated it was a good quarterly report and agreed it needed fine-tuning to get rid of white space etc. He felt that there were ways to make it more user friendly. He suggested printing subtotals and summary, alphabetical listing would be helpful. Chairman Tavernier asked Mr. Johnston if he would put his suggestions in writing for future review.

William Mullin was interested in the benefit vs. cost of report. This is, and will be a continuing concern he will stress the importance of.

ALG DISCUSSION POINTS - Bill wanted to get peoples views on the budget environment, macro economic trends and where are we going prior to the fall season. Dore asked that the text for Warrant Articles, particularly Planning be in better shape prior to January. The joint accounting system should be discussed as well as the Chairman discussing the Fee Waiver requests from the School.

REVENUE RECEIPTS MEMO - The shortfall and turnbacks were discussed. Bill felt that town meeting should make the final choice. Bill would be opposed to changes or reductions in the budgets already established and leaned toward Free Cash use. Staff suggested an alternative to calling a special town meeting now and asked if they could have some time to see if they could not convince/reason with the DOR to take a pledge from us, and if the Town is unsuccessful in getting them convinced, a Special would be called for the Fall.

DORE' HUNTER - Moved to charge the Town Manager to work out a plan with the Department of Revenue as outlined at this meeting. **WAYNE FRIEDRICH**S- Second. UNANIMOUS VOTE.

If this attempt fails, the Manager and Chairman will work toward a Special Town Meeting .

CONSENT AGENDA

DORE' HUNTER - Moved to Approve with item 12 held for discussion. **WAYNE FRIEDRICH**S - Second. UNANIMOUS VOTE.

After discussion about the DARE gift money item 12 the Board voted. **WILLIAM MULLIN** - MOVED to accept with gratitude. **DORE' HUNTER** - Second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

NARA GROUND BREAKING - The Board discussed a time for the Groundbreaking ceremonies. After discussion, September 17, 1996 at 8:00 A.M. was chosen. Town Manager to have staff work on the invitations and details.

EXECUTIVE SESSION

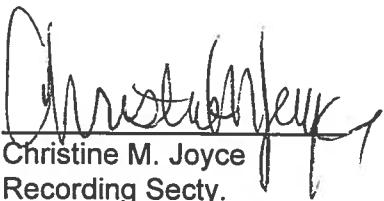
WAYNE FRIEDRICH - Moved to adjourn into Executive Session for the purpose of discussing Contract Negotiations- HUNTER - Second. UNANIMOUS VOTE. Roll Call taken by Clerk, All Ayes.

The Board adjourned at 11:00 P.M.



Clerk _____

Date 10/8/96


Christine M. Joyce
Recording Secty.
Sept. 10, 1996.DOC

September 4, 1996

TO Board of Selectmen

FROM: Nancy E. Tavernier, Chairman

SUBJECT: Selectmen's Report

AGENDA
Room 204
September 10, 1996

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 **POLE LOCATION - MAIN STREET** - Enclosed please find the abutter's notice and Boston Edison's agreement concerning the installation of the "Stub Pole" for the hanging of Banners previously approved by the Board for Board signature.
2. 7:33 **BOSTON EDISON - INDEPENDENCE ROAD** - Enclosed please find a request and staff comment for Board review and approval.
3. 7:34 **BOSTON GAS - RT. 2A TO HAYWARD ROAD** - Enclosed please find a request and staff comment for Board review and approval.
4. 7:35 **LAST NATIONAL WINE CO., 18 Powdermill Road - LICENSE TRANSFER, STOCK AND LICENSE PLEDGE REQUESTS** - Enclosed please find the application for transfer of ownership, pledge of license and stock with staff comment for Board action.
5. 7:45 **ACTON TOYOTA -- 135 Great Road - AMENDMENT SITE PLAN SPECIAL PERMIT** - Enclosed please find a request and staff comment regarding this request for Amemdent to the above referenced Site Plan for Board review and action.
6. 8:00 **CLASSIC USED CARS OF ACTON - CONCORD** -140 Great Road- Enclosed please find an application from Classic Used Cars of Acton and Concord and staff comments for Board review and action. *Staff Note: Titan Motors has decided not to exercise their license as approved by the Board earlier this summer and has not picked up their license. I have voided the transaction.*

III. SELECTMEN'S BUSINESS

7. **SCHOOL WAIVER REQUEST**- Enclosed please find memo from Isa Zimmerman requested waiver of fees for all Regional and Local School Permits.
8. **OCTOBERFEST 96** - Enclosed please find correspondence from West Acton Merchants seeking waivers for all licenses needed for Board approval.
9. **QUARTERLY REPORT FORMAT** - Please find correspondence regarding the format of the quarterly report for Board discussion.

10. **CROWN RESISTANCE DAY PROCLAMATION** - Enclosed please find a Proclamation and invitation from the Acton Minuteman for Board Signature and action.

IV. CONSENT AGENDA

11. **ONE DAY ENTERTAINMENT PERMIT** - Enclosed please find a request from the Minor Cord, 77 Great Road for approval of musical activities in the parking lot on October 5, 1996 and Police Chief's comments for Board action.

12. **ACCEPT DARE GIFT - BERLIN AUTO PARTS** - Enclosed please find a request from Det. Fenniman for Board acceptance of proceeds from cars disposed at Berlin Auto Parts for Board acceptance.

13. **ACCEPT NURSING GIFT** - Enclosed please find a request from Nursing to accept a gift of \$300.00 for use by the Nursing Service for Board acceptance.

14. **BETSY BALL FUND** - Enclosed please find three requests for and account balance information regarding the Betsy Ball Fund for Board action.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

15. There will be an Executive Session required to discuss NESWC.

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.

Sept. 24 - Executive Session - Fin Com.

Pcc/sept10.DOC