

# **SELECTMEN'S MINUTES**

## **December 5, 2000**

Present: F. Dore' Hunter, Peter Ashton, Trey Shupert, Herman Kabakoff, Pamela Harting-Barrat, Town Manager and Assistant were present. The meeting was televised.

### **CITIZEN'S CONCERNS**

Peter Ashton announced that he has decided to re-run in the Spring.

Herman Kabakoff will announce his decision at the next meeting

Weblow Troop – Was introduced to the Board and audience. They will be observing the meeting as part of their earning a badge.

David Esterbrook – Trey introduced David to the board. He is part of a group of scouts working on a citizenship badge.

### **PUBLIC HEARINGS & APPOINTMENTS**

#### **JULIA McCARTHY SITE PLAN # 10/17/00-373 – 457 Great Road**

The Board reviewed a letter from the applicants engineer asking that the hearing be continued to January 23, 2001 at 7:32 P.M. in order for them to make needed changes to the plan. – PAM HARTING-BARRAT – Moved to approve. TREY SHUPERT – Second. UNANIMOUS VOTE.

### **TOWN HALL E-MAIL**

Mark Hald, the IT Director explained the purpose of his appointment tonight was to update the Board on his activities over the past 6 months. He outlined the policies that needed to be developed. He spoke about upcoming capital requests. He hopes to have the Internet on line by December. Dore' asked about the Internet Policy. Don will be working on it with Mark.

Don noted that Mark's recommendations for Capital Projects we received well.

Trey asked to have the informational materials from departments put on the web and he urged him to get together with the staff to discuss what could be put on the web

### **LEAGUE OF WOMEN VOTERS**

Pat Clifford – They are here to ask the Board to begin looking at the expiration of the NESWC contract and alternatives. She noted that this issue had come up in their yearly review. Dore' thanked her for offering to join a working body. Don was asked to bring staff recommendation of a process involving the wider community as we look for a substitute for NESWC and to identify alternatives.

## CLASSIFICATION HEARING

Josh Chernin – Spoke as a citizen who opposed the split tax rate.

Jon Avery – Chamber of Commerce representative to EDC asked that they not split the rate. He felt that the business by virtue of growth would help pay the bills. An equal rate will encourage owners to stay in town and update property.

Lauren Rosenwiz – She urged the Board to stay with a uniform rate. She feels that the uniform rate would do much to retain business and expand growth.

Bill Lawrence – He reported on the surrounding towns that have a uniform rate.

Peter Ahston explained the reason for his research. He explained that this is a very difficult decision. He is pursuing for this because he does not believe a split rate is related to whether businesses stay or leave. He feels that Acton's location is important.

Dore' stated that he does not want to split the rate, he felt it is not the right time.

Trey too has given this a lot of thought. It is a difficult issue to deal with he is coming from a business background. He feels the relocations of his businesses were not done with split tax rates in mind. He feels he will have to support Peter. He feels now is the time to shift the rate he feels business do put a strain on the infrastructure. He said that many feel that Acton is anti-business, however he disagrees, he feels that we have rezoned and developed Village plans. He will support a small shift this year and it will come up again next year.

Herman spoke about his decision making process. He is a member of EDC and he voted not to support a split. He came down on the side of Peter but will not support 10%. A five-percent decreases every ones taxes.

Pam has listened to many people about this issue. The taxpayers have been supportive for the NARA, Schools etc. She feels she will support a split tax rate.

Charlie Kadlec asked for clarification on Herman's presentation. Herman said it is constant dollars.

HERMAN KABAKOFF- Moved to shift the tax rate 5% - TREY SHUPERT - Second. 4-1 Dore' No.

Peter noted he would support Herman's motion for 5% shift.

Dore' again gave his opinion on staying equal.

HERMAN KABAKOFF – Moved not to adopt Open Space, Small Commercial or Residential Exemption. PETER ASHTON – Second. UNIMOUS VOTE.

Trey wanted to have more info about the Small Commercial Exemption.

John presented information regarding Excess Capacity. Herman asked about the Middlesex County Retirement fund in a stabilization fund. Trey asked if it truly funded. Trey is very concerned about the issue of pensions and who is managing the funds?

Peter asked that an opinion be reached before Town Meeting

Don Johnson said that we follow the ALG plan and it has been discussed for 18 months. It holds our options.

Charlie Kadlec's comments were about taxing to the limit.

Dore' noted he disagreed with Mr. Kadlec's statements and conclusion. He asked that we approve Don's suggestion.

Jesse Liberty – Farmstead Way speaking for himself. He does not agree with Mr. Kadlec.

Herman agrees with Charlie K. He feels we should give some of the money back. He felt we needed to return the monies in interest.

**DORE' HUNTER** - Move that the Board of Selectman instruct the Town Manager to submit the numbers to DOR with numbers approved by ALG those being: Tax to the full extent of Prop. 2/1/2, Non-Property Tax Revenue Expectation of \$7,980,000, Appropriate \$790,000 of Free Cash and Flow of \$492,000 of Excess Revenues to Free Cash. **PETER ASHTON**, Second. 4-1 Herman No. Motion Carries

### **SEWER BETTERMENT'S**

Dore' spoke about the loan and that it is more like 1– 2 percent interest. If the legislation passes the bill would be zero interest and 30 years. Permanent betterment's will happen after the completion.

Don Johnson felt that Doug could handle this. We are here to assess the betterments and payment for those are coming due in January. The betterment's have been worked out and show build out. Each property owner can call the BOH to find out betterment incurred on January 31<sup>st</sup>.

Herman asked about the 2% over a year interest

John explained the process, Pam feels it will be enacted in the next week and will go to the Governor for signature and he has 10 days to sign.

Mr. LaFreniere – Spoke about the unfairness and his perceptions about the Town's rights.

Many citizens raised questions about the 2% and liens. Also questions were asked about representation for those in the district.

**TREY SHUPERT** - Moved that the Board of Selectmen hereby moves to assess estimated sewer betterment's for the Middle Fort Pond Brook Sewer District in accordance with Massachusetts General Law Chapter 83 Section 15B. **PAM HARTING-BARRAT** –Second. UNANIMOUS VOTE

### **SELECTMEN'S BUSINESS**

**CLOSE ANNUAL TOWN MEETING WARRANT** –**TREY SHUPERT** Moved to close the Annual Town Meeting Warrant at the conclusion of the Business Day on December 29<sup>th</sup>, **HERMAN KABAKOFF** – Second. UNANIMOUS

**ASSISTED LIVING SITE PLAN** – Amend the site plan. **PAM HARTING-BARRAT** – Moved to approve the amendments as outlined in Staff's report. **HERMAN KABAKOFF** – Second. UNANIMOUS VOTE

ELIZABETH WHITE FUND – PETER ASHTON – Moved to approve the disbursements presented by the Trustees. TREY SHUPERT – Second. UNANIMOUS VOTE

#### OTHER BUSINESS

Dore' spoke about Preservation Act and we would have to fund 3% to buy open space, recreation. Peter asked that we explore setting up a fund to be used for preservation of open space. He asked the Town Manager to look into developing a fund. HERMAN KABAKOFF - Moved that we not participate in the Community Preservation Act. PETER ASHTON – Second. UNANIMOUS

Ann Fanton's Memo – HERMAN KABAKOFF – Moved that we let the currently established schedule play out. PETER ASHTON – Second. UNANIMOUS VOTE

Dore' noted the letter from Mass Highway regarding the closing of Piper Taylor. Dore' suggested that we sit down with them to discuss.

Planning Board – Peter will take on several items and invite Planning Board in on the 19<sup>th</sup>.

#### CONSENT AGENDA

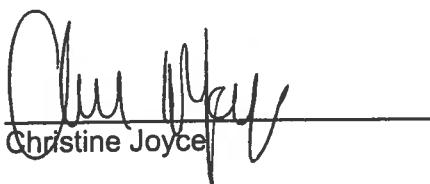
HERMAN KABAKOFF - Moved to approve with additional consent items and November 7<sup>th</sup> minutes corrected. PETER ASHTON – Second. UNANIMOUS VOTE

LITTLE LEAGUE GIFT FOLLOW-UP–The Town Manager has reviewed the October 10<sup>th</sup> request for the Town to allow the fees from the display space to flow to the League until the close of the 2003 season. He urged the Board to accept this gift with the additional condition on the gift and revise the Board's earlier action. HERMAN KABAKOFF - Move to accept the gift with the proviso that the Little League would hold the right to rent sign display space (with conditions for review by municipal officials), on these facilities for period of three years, beginning Spring of 2001. And that after the close of the 2003 season, the control of the sign rental space would be turned over to the Town. PETER ASHTON – Second. UNANIMOUS VOTE

#### TOWN MANAGER'S REPORT

#### EXECUTIVE SESSION

  
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Clerk  
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1/23/01  
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Date

  
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Christine Joyce