

## **Selectmen's Minutes**

### **January 26, 2004**

Present: Walter Foster, Peter Ashton, William Shupert, Robert Johnson, F. Dore' Hunter, Town Manager and his Assistant.

### **CITIZEN'S CONCERNS**

### **PUBLIC HEARINGS & APPOINTMENTS**

**WETHERBEE PLAZA SITE PLAN EXTENSION, #11/07/03-393** – Mark Donohue presented the proposed plan for the Plaza. Bob Johnson said that it is now a nice plan. However, we are concerned about dumpsters and would think more will be installed if the BOH required. Bob said sidewalks are important he wanted to make sure foot traffic was pedestrian friendly. Bob spoke about a 10 ft sidewalk and said the EAVPC said it was not necessary.

Trey asked about the Water District requiring a separate hookup for water. Trey wanted to ask questions about connectivity of the two lots.

Peter spoke about turning radius issue brought up by the Fire Chief. Garry said that he has left it open and needs follow up. Peter spoke about the plantings in the right of way and the petitioner said he did have assurance that the State would not remove the trees.

Peter further spoke about the whole picture and we needed to be pedestrian friendly.

Dore' felt that there still needs to have substantial changes made to it and felt we should hold it over until a later time to make sure all the items are on the plan.

Walter asked about ANR step and he is still concerned about the use of the gravel road but the Town Planner urged connectivity on the site.

Leo said the Water Issue is moot. He did not want this continued to another meeting.

Dan the Manager of the car wash spoke about traffic on the site.

**BOB JOHNSON** – Moved to Continue this hearing to February 9, at 8:00 p.m. **DORE' HUNTER** – second. UNANIMOUS VOTE.

**DUNKIN DONUTS, COMMON VICTUALLER'S LICENSE, 182 GREAT ROAD**  
Danny Costa and Mike Costa said they were in to make sure all their locations in Acton had been issued licenses as Common Victualler. They are open 6-11. **PETER ASHTON** - Moved to approve. **DORE' HUNTER** – Second. UNANIMOUS VOTE.

**BAGEL BUTLER, COMMON VICTUALLER'S LICENSE, 358 GREAT ROAD** – Chris Shuldiner is purchasing the Bagel Butler. They will see what can be improved upon at the store. DORE' HUNTER – Moved to Approve- PETER ASHTON. – second. UNANIMOUS VOTE

**ACTON INDOOR SPORTS, COMMON VICTUALLER'S LICENSE** - Tom McLaughlin said they wanted 44 or 45 seats. Dore' noted police problem that might be handled. Dore' noted concern about the liquor at the facility. Ms. Clark 48 Great Road spoke about the noise and is against the issuance. Another resident of Pillar House was concerned about the noise and bad effect of liquor.

**ACTON INDOOR SPORTS, FULL LIQUOR LICENSE, 30 GREAT ROAD** – PETER ASHTON - Moved to continue the public hearing on the license request and have the proponent come back under Special Permit on Feb 9<sup>th</sup> 8:15 pm. TREY SHUPERT – second. UNANIMOUS VOTE.

**SUNDAY PACKAGE STORE OPENINGS**- Permit to allow package stores to open on Sundays- Trey said we have to allow them to open on Sundays. Bob agreed he said he is against blue laws. Peter too agreed with granting the permit. Dore' said he did not see why we should exclude them from being open on Sundays.

Leo Piro – Spoke about diluting business by having the stores open on Sundays.

DORE' HUNTER - Move to approve Sunday licensing and the term to run with the term of the annual license. PETER ASHTON. Second. UNANIMOUS VOTE.

## **SELECTMEN'S BUSINESS**

### **BIKE LOCKERS, 2004 FEES**

Planner requests the price not increase the fee for parking. DORE' HUNTER- Moved to approve as presented. BOB JOHNSON – Second. UNIMOUS VOTE

### **STREET LIGHT REQUEST, 2 DORIS ROAD**

Bob Johnson noted that he did not see a Priority List. And we should decline the request it is not compelling, there have been no accidents. DORE' HUNTER - Moved we not grant the request and survey the entire situation before approving and staff has not recommended this due to the criteria in place currently. BOB JOHNSON – Second. UNANIMOUS VOTE.

### **GEORGIA WHITNEY FUND REQUEST**

Acton Memorial Library has asked for an expenditure of \$1,500 for Robert Creely Day. PETER ASHTON – Moved to grant the AML the \$1,500 for Creely Day. DORE' HUNTER – Moved to approved. PETER ASHTON – Second. UNANIMOUS VOTE.

### **CONSERVATION COMMISSION APPOINTMENTS**

Walter discussed the three openings on the Cons Com. He said that they would like to see the Associates before making any appointments which would elevate them. Peter felt it would be helpful to interview elevations so that Members that weren't on the Board of Selectmen at the time the person was appointed would have a chance to meet with

them. Walter will check with the Chairs of committees before automatically elevating an Associate Member

**DAVIS ROAD** - Walter reviewed the letter and their request of \$25,000. Dore' suggested we can take it and not to get into the money pit. Peter and Trey agreed that the compensation is outrageous. Walter said he agreed on all levels and wanted a letter drafted to them it is a private problem that needs to be handled by them. Dore' noted that we did talk about a friendly taking and a nominal fee. Peter said he was concerned about this response from Briar brook. He did not want to take this as a hostile taking, but would if he had to. It was noted that they did not send a copy to Bellows Farms folks.

#### **60 GREAT ROAD, LANDMARK SIGN**

Walter outlined the comments back from Historical Commission. Bob Johnson asked if it is moving. Leo said it will be replaced there after they restore it. BJ/TS approve

**DRAFT 61 POWDER MILL ROAD** – Dore' Hunter recommends Draft #1 which includes a sidewalk DORE' HUNTER- Moved to approve Draft 1. PETER AHSTON – second. UNANIMOUS VOTE.

John updated the Board on the receipt of Pot Hole Funds. Minuteman will be turning \$34,000 back to the town.

#### **FY05 BUDGET DISCUSSION**

Dore' reported on his MMA experience and we are doing the right thing proceeding and using the best practice.

#### **HEALTH INSURANCE RATES FOR FY05**

Peter spoke about the increases in Blue Cross Blue Shield. We will be raising BBCS fees. He feels that some may move to the Harvard Plan. The unions did not think the rate increase would cause a migration. They are looking at a 50% increase in BBCS. Peter felt he needed confirmation this is the right direction. Dore' said he feels he is going in the right direction, and the planning seems to have stabilized. Peter said after FY05 our increases will go up in approximately the same amount. .

**NARA PROGRAM RATES** – The Chair of the Recreation Commission sent a memo regarding the NARA Beach Fee increases. Trey liked the early bird fee at \$125.00 incentive to sign up early. Family goes to \$175 after May 1. The senior should be kept at \$20 for the season. . Peter felt we should not increase the beach fee this year. Trey said that we are trying to keep it the same. He has checked and we are offering a good deal. He feels we should go up a little each year. TREY SHUPERT Moved to approve fees in Column E and hold at \$125 with after May 1st raised to \$175. Stay the same on the balance of the fees Second page special events go with Column E, rental fees Column E, Use Column E, and Summer Sessions \$175.00. PETER ASHTON – Second. UNANIMOUS VOTE.

**OVERLAY DISCUSSION** - Walter discussed Overlay. Peter will be sharing the information again. The Assessors were to be asked if they were comfortable with us using overlay. He said that they want \$300,000 from overlay. He noted that we are going to be using free Cash this year. Herman questioned the use of Free Cash. Peter assured that there was enough money in the overlay to cover claims. Peter said that he needed a consensus that the \$300,000 to \$350,000 was supported.

## **OTHER BUSINESS**

CPC has completed the process for all submitted requests. They will be fashioning a menu for review.

Trey spoke about the meeting on 40B next week. They wanted to have a facilitor on board and will be trying to contact Sandy Stone. All are invited to attend but there will be little or no feedback from the public until a later meeting as this is a workshop.

Trey updated the Board of EDC has spent a lot of time on the industrial Corp. The next stage will be coming on line. EDIC will need some funds to get up and running. This may be a year we need to spend this year and he suggested the funds from turn back from BOS salaries.

## **CONSENT AGENDA**

TREY SHUPERT – Moved to Approve. DORE' HUNTER – Second. UNANIMOUS VOTE.

## **TOWN MANAGER'S REPORT**

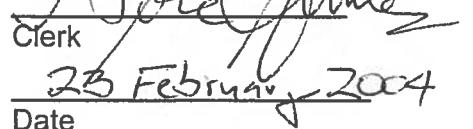
**LIONS CLUB DONATION OF DEFIBRILLATORS.** – Don gave the background on the gift. They have had a problem with the union about using them. Staff said the COA and Recreation could train and be able to use them. The Manager was asked to move those out of the police and put in two location and notify the Lions Club of our actions with regard to their gift.

DORE' HUNTER – Moved that Staff prepare a letter and approve as drafted for Signature. PETER ASHTON – second. UNANIMOUS VOTE.

## **EXECUTIVE SESSION**

DORE' HUNTER – Moved go in Executive Session regarding LITAGATION, Purchase and disposal of real property Contract and Land Transfer. ROLL CALL taken, All Ayes

Christine Joyce  
Recording Clerk

  
Dore' Hunter  
Clerk  
23 February 2004  
Date

January 23, 2004

**TO:** Board of Selectmen, Sewer Commissioners  
**FROM:** Walter Foster, Chairman  
**SUBJECT:** Selectmen and Sewer Commissioners Report

**JANUARY 26, 2004**  
**MEETING BEGINS AT 7:00 P.M.**

**I. CITIZEN'S CONCERNS**

**II. SEWER COMMISSIONERS' BUSINESS**

**III. PUBLIC HEARINGS & APPOINTMENTS**

1. 7:30 **WETHERBEE PLAZA SITE PLAN EXTENTION, #11/07/03-393-** Enclosed please find materials in the subject regard for Board consideration.
2. 7:45 **DUNKIN DONUTS, COMMON VICTUALLER'S LICENSE, 182 GREAT ROAD –** Enclosed please find application and staff comment in the subject regard for Board consideration.
3. 7:50 **BAGEL BUTLER, COMMON VICTUALLER'S LICENSE, 358 GREAT ROAD –** Enclosed please find application and staff comment in the subject regard for Board consideration.
4. 8:00 **ACTON INDOOR SPORTS, COMMON VICTUALLER'S LICENSE, 30 GREAT ROAD –** Enclosed please find application and staff comment in the subject regard for Board consideration.
5. 8:10 **ACTON INDOOR SPCRTS, FULL LIQUOR LICENSE AS A COMMON VICTUALLER, 30 GREAT ROAD –** Enclosed please find application materials and staff comment in the subject regard for Board consideration.
6. 8:15 **SUNDAY PACKAGE STORE OPENINGS –** Enclosed please find materials in the subject regard for Board consideration.

**IV. SELECTMEN'S BUSINESS**

7. **BIKE LOCKERS, 2004 RENTAL FEES –** Enclosed please find a memo from the Town Planner regarding Bike Locker fees for the 2004 season for Board consideration.
8. **STREET LIGHT REQUEST, 2 DORIS ROAD –** Enclosed please find a request and staff comment for Board consideration.
9. **GEORGIA WHITNEY FUND REQUEST –** Enclosed please find a letter from Mr. Joyner, Trustee of the Acton Memorial Library regarding a \$1,500 gift from the Whitney Fund for the support of the 2004 Creeley Day poetry reading for Board consideration.

10. **CONSERVATION COMMISSION APPOINTMENTS** – Enclosed please find a memo from the Town Manager in the subject regard, for Board consideration.

11. **DAVIS ROAD** – Enclosed please find correspondence from the Briarbrook Condominium for Board consideration.

12. **60 GREAT ROAD LANDMARK SIGN REQUEST** – Enclosed please find the original material along with comments from the Historical Commission, as the Board had previously requested, for Board consideration.

13. **FY05 BUDGET DISCUSSION** – General Discussion

14. **HEALTH INSURANCE RATES FOR FY05** – Selectmen Ashton will address the Board in the subject regard.

15. **OVERLAY DISCUSSION** - Selectmen Ashton will address the Board in the subject regard.

16. **SITE PLAN SPECIAL PERMIT 01/06/99-368, 61 Powder Mill Road** – Enclosed please find two draft decision prepared by the Building Commissioner for Board consideration.

17. **FY04 RECREATION FEES** – Enclosed please find materials in the subject regard for Board consideration.

18. **OTHER BUSINESS**

## **V CONSENT AGENDA**

19. **ACCEPT GIFT** – Enclosed please find a donation of \$190.00 from Berlin Auto Parts, for Board acceptance.

20. **ACCEPT GIFT** – Enclosed please find a donation of \$250.00 from Capizzi and Co., for Board acceptance.

21. **ACCEPT GIFT** – Enclosed please find a donation of office furniture from FONIX, 629 Mass Ave, Boxboro, for Board acceptance.

22. **ACCEPT GIFT** – Enclosed please find a donation \$50.00 from Ms. Rader, for Board acceptance.

## **VI. TOWN MANAGER'S REPORT**

23. **LIONS CLUB DONATION OF DEFIBRILLATORS** – Enclosed please find materials in the subject regard, the Town Manager will speak to this Monday evening.

## **VII EXECUTIVE SESSION**

24. There will be a need for Executive Session – Enclosed please find materials in the subject regard.

## **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.

Feb 9 and 23

March 8 and 22, and( 29<sup>th</sup> if necessary)

April 6, 7 and 8 Pre TOWN MEETING

April 26

### **GOALS 2003-2004**

1. Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Walter/Peter)
3. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision (Trey/Peter)
4. Towne Building Reuse (Bob)
5. ALG process be used for purpose of Budget Planning for FY04 Walter/Trey)
  
6. Process Planning for "Life after NESWC" (Peter)      Implement Chairman Round Table – (Peter)
7. Joint IT process-organizational change (Walter/Dore/)
8. Middlesex Pension Alternatives (Walter)

### **GOALS carried forward**

9. Public Safety Facility (Dore/Trey)