

# **Selectmen's Minutes**

## **August 16, 2004**

### **7:00 P.M.**

Present, F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, Trey Shupert and Town Manager. Meeting was televised.

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

Robert Guba was representing him self not the Land Steward Committee. He read a proposal to trade conservation land exchange in the Boston Globe. Walter noted that it has many parts and the Manager will show the map to him.

Jim Snyder-Grant – ACAT Group will be working with the schools and town for the reduction of green house gases.

#### **SEWER COMMISSIONER'S REPORT**

Final Betterments – Don reviewed his letter about the final betterment. The Board will have to vote this at the next meeting in order to meet the deadline.

#### **PUBLIC HEARINGS & APPOINTMENTS**

**ACTON HOUSING AUTHORITY APPOINTMENT - WALTER FOSTER** - Moved to appoint Ken Sighia-Hughs as a AHA member to fill Erin Bettz unexpired term until Town Meeting of 2005. . BOB JOHNSON –Second, UNANIMOUS VOTE.

**SITE PLAN SPECIAL PERMIT #04/03/04-397- RAIL ROAD REALTY TRUST – 19**  
**RAIL ROAD STREET** – Mike Gurtler, owner of the property. Walter asked about lighting redirection. He was also concerned about the drawings and large tree removals. One of them is rotted. The other tree is in good shape and shields them from the commuters. They will install new stock. No water supply shown on the Plan. They have submitted materials to show the lines to Engineering. Walter spoke about parking reductions and will remove #10 on the plan. Sewer hook up was discussed and they will be assessed. He has spoken with Doug Halley and he is aware of the potential that all hookups are assessed separately. Fire Chief asked that the Fire Alarm be wired in and asked if he would be willing to do to the 2 unit building, he agreed. The Building Commissioner was concerned with the way the plans were stamped.

Anne Forbes noted that HDC can only give comments and is advisory only. Her comments were from the Iron Work Farm, Jones Tavern not HDC, They have not reviewed it as a Committee as of today. **WALTER FOSTER** - Move to continue to Sept. 27 at 7:15. **BOB JOHNSON** – Second. UNANIMOUS VOTE

**SITE PLAN SPECIAL PERMIT #03/09/04-396, MARGARET NAZZARO – TREY SHUPERT**– Moved to Continue to Sept. 13 at 7:20 **BOB JOHNSON** – second UNANIMOUS VOTE.

**MAKAHA** –Todd Fenniman, Mr. Cheng's Attorney outlined the three proposals regarding a new business plan for Makaha to the Board. Dore' didn't feel we had the right to tell him how to run his business. He urged the camera's should be installed to solve the he said you said issue. He wanted to hear from Mr. Cheng about his thoughts regarding this issue. Trey said we need to hear a proposal on how he intends to change the business. Walter rescued himself as he knows one of the vendors. Peter wanted to hear from Mr. Cheng how he proposed to improve his business. Mr. Cheng will hire a liquor consultant to keep the good policy going. He will redo the training and review it with the Employees on a monthly schedule. They will use experts to help get it going. Dore' suggested that Cheng hire a consult and issue us a COP and do so in the next 30 days, and asked to have their consultant send it to the Board in written form. The Board would like to continue this meeting to discuss Makaha's proposed strategy. Trey asked that the Chief be kept up to date and included. Chief Widmayer said the proposals are a good start. The Board will again visit this in 30 Days.

#### **COMMITTEE INTERVIEW, BERNICE BARON, ASSOCIATE MEMBER OF THE ACHC**

The Board asked her several questions about her background and desire to volunteer. Peter asked her about her views regarding affordable housing and increasing the housing stock. She agreed that we do need housing units in the apartment market as well as affordable housing. PETER ASHTON - Moved to Appoint Bernice Baron, as an Associate Member of the ACHC term to expire 6/30/05. TREY SHUPERT – second. UNANIMOUS VOTE.

#### **COMMITTEE INTERVIEW, RUTH MARTIN, ASSOCIATE MEMBER, PLANNING BOARD**

She has reviewed the Master Plan and was concerned with development in town. Bob asked if she was familiar with East Acton Village. She has been following it and was concerned that it not slow the commute on 2A.

WALTER FOSTER – Moved to Appoint Ruth Martin as an Associate Member to expire 6/30/05. TREY SHUPERT– second. UNANIMOUS VOTE.

#### **TRAFFIC RULES AND ORDERS**

Bruce Stamski outlined the need for the stop sign installations in Indian Village that were recommended in a study of the neighborhood three years ago. The rest of the signs were scattered throughout town. He outlined the "Warrant" that had to be used to determine the need for signs. They have done speed reviews and there were no ticketable speeds.

Jon Chintz 3 Wingate Lane – He spoke about Chadwick Street at River Street and was trimming mandatory for Stop Signs. It was noted this is a problem with this location.

Kevin spoke about Seminole as 30 miles per hour and there is a dangerous curve and asked if it could be reviewed. He was asked to address speed issues with Bruce.

Bob Szewczyk –was concerned about the added pollution and the cost associated with stopping and starting at these signs. He did not agree they have a problem. His wife complained that she has not been answered by the Police Dept. She noted it is one street, Mohegan Road that has the complaint.

Dave Keeler – Quabog – He felt that it was good to install the Stop Signs, and the study addressed safety issues.

Donald Morrison, Mohawk Drive – Does not want Stop Signs.

Shirley Smith – Cherokee Road – Spoke about the need for Stop signs on her street which only serves five families.

Peter reminded them that this began 3 years ago at a public meeting with residents up in arms about Speeding and right of way issues. He said that the first meeting was attended by 20 – 25 people. He feels we need to take another look and deal with the other ones and hold the Indian Village. Bob disagreed with Peter and felt we should install and not debate it further. Trey said he agreed with Peter. He noted this issue is driven by the citizens. Walter noted he was interested in exploring the proposed placement of the signs. Dore' felt that the signs are required.

BOB JOHNSON – Moved to approve the miscellaneous signage and State signs, and visit this again on September 13, at 7:45. TREY SHUPERT – Second. UNANIMOUS VOTE.

#### **ICHABOD'S COFFE HOUSE AND EATERY, 166 GREAT ROAD**

BOB JOHNSON – Moved to approve the Common Victualler License for Ichabods. TREY SHUPERT – Second. UNANAMOUS VOTE.

#### **DI CAPRI PIZZARIA, 576 MASS AVE.**

The applicants failed to appear for their Common Victualler hearing. PETER ASHTON – Moved to issue a temporary License until the next Board of Selectmen's meeting at 8:00 on Sept 13, 2004. BOB JOHNSON – Second. UNANIMOUS VOTE.

## **SELECTMEN'S BUSINESS**

#### **COLLECTIVE BARGAINING – Peter and Bob will serve**

**DAVIS ROAD Parcel F – BOB JOHNSON** Move to, endorse the taking of Parcel F at no cost to the Town, and at a cost of \$15,000 to the Developer who was required to pay the Davis Road Condo's for this parcel. TREY SHUPERT –Second. UNANIMOUS.

#### **FALL SPECIAL TOWN MEETING AND “STATE OF THE TOWN” MEETING DATES**

**OVERRIDE TIME LINE** – Peter outlined the suggestion of having a State of the Town Meeting. He asked we discuss the holding of the meeting. We also need to develop a time line. School has already reviewed the Time line developed by MaryAnne Ashton. It was important to decide when to hold the meeting and, schedule the Special Town Meeting in October. Written documents should go out at least two weeks to the citizens. Dore' said we could hold the State of the Town Meeting on November 30, or December first and second. They set the STM date for Tuesday, October 18, 2004. Peter feels we need to get views to bring back to the ALG. He said we should present an A and B Budget. The Ballot Vote ahead of the Town Meeting was discussed, it was noted it was successful last time we proposed an Override.

**SUBURBAN COALITION** - The Board declined membership and the paying of dues.

**BOY EAGLE SCOUT** - Walter Foster will represent the Board

**OTHER BUSINESS**

Trey discussed the appointment of OLAC Members. They will discuss at the next meeting after comment from Garry Rhodes is received.

CPC plan has been updated for this year correcting the time line and dates have been set in Late Sept. They are fully manned.

Walter and Bob were willing to handle the Morrison Farm appointments.

Walter noted the working group of W. R. Grace was represented and it was a constructive discussion and that the Town wants compatible zoning.

**CONSENT  
AGENDA**

PETER ASHTON – Moved to approve. – WALTER FOSTER – Second. UNANIMOUS VOTE

**TOWN MANAGER'S REPORT**

**VERIZON BUSINESS LINK REWARDS** – Don was asked to prepare a memo regarding this agreement.

Yin Peet agreement was signed.

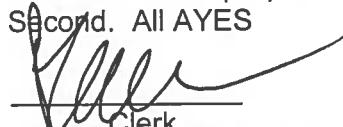
**Pam Resor** – Don discussed the meeting with Pam Resor held this morning, and referred to the handout from the meeting put in the Extra Info for tonight's Meeting.

**EXECUTIVE SESSION**

BOB JOHNSON – Move to go into Executive Session for the purpose of discussing legal Litigation and strategy. PETER ASHTON – Second. All AYES

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Christine Joyce  
Recording Clerk



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Clerk  
9-30-04  
Date

August 13, 2004

**TO:** Board of Selectmen, Sewer Commissioners  
**FROM:** F. Dore' Hunter, Chairman  
**SUBJECT:** Selectmen and Sewer Commissioners Report

## **AUGUST 16, 2004**

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

### **II SEWER COMMISSIONERS' BUSINESS**

1. **FINAL BETTERMENTS** – Enclosed please find materials related to the Final Betterments. The Town Manager will address the Board in this regard.

### **III PUBLIC HEARINGS & APPOINTMENTS**

2. **7:05 ACTON HOUSING AUTHORITY APPOINTMENT REQUEST** – Enclosed please find a request for the appointment of Ken Sighia-Hughes to fill the unexpired term of Erin Bettez, for Board consideration.
3. **7:10 SITE PLAN SPECIAL PERMIT #04/03/397, RAIL ROAD REALTY TRUST, 19 RAIL ROAD STREET** – Enclosed please find materials in the subject regard, for Board consideration. (NOTE: Although the time allotted for this hearing is only five minutes, the hearing may go longer.)
4. **7:15 SITE PLAN SPECIAL PERMIT, #03/09/04-396, MARGARET NAZZARO, 253 ARLINGTON STREET (Continued from previous meetings)** – Enclosed please find materials in the subject regard, for Board consideration.
5. **7:30 MAKAHAI LIQUOR LICENSE HEARING** – Enclosed please find materials in the subject regard, for Board consideration.
6. **7:45 COMMITTEE INTERVIEW, BERNICE BARON, ASSOCIATE MEMBER OF ACTON COMMUNITY HOUSING CORPORATION (ACHC)** – Enclosed please find Ms. Baron's Volunteer Coordinating Committee Application, for Board consideration.
7. **7:55 COMMITTEE INTERVIEW, RUTH MARTIN, ASSOCIATE MEMBER OF THE PLANNING BOARD** - Enclosed please find Ms. Martin's Volunteer Coordinating Committee Application, for Board consideration.
8. **8:00 TRAFFIC RULES AND ORDERS** – Enclosed please find materials from the Engineering Department in the subject regard, for Board consideration.
9. **8:15 ICHABOD'S COFFE HOUSE AND EATERY, 166 GREAT ROAD** – Enclosed please find a request for a Common Victualler's License, for Board consideration.
10. **8:30 DI CAPRI PIZZARIA, 576 MASS AVE.** Enclosed please find a request for a

Common Victualler's License, for Board consideration.

## **IV SELECTMEN'S BUSINESS**

- 11. COLLECTIVE BARGAINING** – Enclosed please find a memo from the Asst. Town Manager in the subject regard, for Board consideration.
- 12. DAVIS ROAD** – Enclosed please find the Order of Taking for "Parcel F", Davis Road for Board consideration.
- 13. FALL SPECIAL TOWN MEETING AND "STATE OF THE TOWN" MEETING DATES** – Enclosed please find materials in the subject regard, for Board consideration.
- 14. SUBURAN COALITION** – Enclosed please find materials in the subject regard, for Board consideration.
- 15. OVERRIDE TIME LINE** – Enclosed please find materials in the subject regard, for Board consideration.
- 16. BOY SCOUT EAGLE COURT OF HONOR, ANDREW CREW** -Enclosed please find materials in the subject regard, for Board assignment.

## **17. OTHER BUSINESS**

## **V CONSENT AGENDA**

- 18. ACCEPT MINUTES** – Enclosed please find copies of the June 14 and July 12, 2004 Minutes, for Board consideration.
- 19. COMMUNITY PRESERVATION COMMITTEE** – Enclosed please find an e-mail asking that the Historical Commission representative to Community Preservation Committee be Robert Coan, replacing Peter Grover, for Board consideration.
- 20. SURPLUS VEHICLE DISPOSITION** – Enclosed please find a recommendation from the Police Chief that one of the police vehicles be declared surplus and assigned to the Fire Department for training and disposal purposes, for Board consideration.
- 21. UNIBANK INVITATION** – Enclosed please find a request from the Assistant Town Manager that the Board accept an invitation from our Financial Advisor firm to have up to 3 Finance Department employees attend a special luncheon, for Board consideration.
- 22. INTERFUND BORROWING** – Enclosed please find a request from the Town Treasurer for Board approval of an Interfund Borrowing, for Board consideration.
- 23. CONSERVATION RESTRICTION** – Enclosed please find an agreement signed by the Conservation Commission regarding "the canoe landing" on Powder Mill Road, for Board consideration.
- 24. ACTON GARDEN CLUB SIGN REQUEST** – Enclosed please find a request for installation of a temporary sign, along with staff recommendations, for Board consideration
- 25. ACTON CONGREGATIONAL CHURCH** – Enclosed please find a request for use of the Town Common and the blocking of one leg of Concord Road around the Monument for a Welcome Back Block Party, for Board consideration

**26. THE FRIENDS OF THE ACTON LIBRARIES** – Enclosed please find a request for a "Mini Book Sale", on September 28, 2004, for Board consideration.

**27. ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Cisco Systems for a One Day Liquor License at NARA on Sept. 1, for Board consideration.

**28. ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Ciena Corp for a One Day Liquor License at NARA on August 25, 2004, for Board consideration.

**29. ACCEPT GIFT** – Enclosed please find a request from the Citizens' Library for acceptance of an Institutional Membership, donated by the Acton Arts League

**30. ACCEPT GIFT** – Enclosed please find a request from the Citizens' Library for acceptance of a seasonal membership at the Fruitlands Museums, donated by the Citizens' Library Auxilliary, for Board consideration.

**31. ACCEPT GIFT** - Enclosed please find a request from the Health Department to accept various Sunscreen awareness items from the Mass Dept. of Public Health, for Board consideration.

**32. ACCEPT GIFT** - Enclosed please find a request from the Municipal Properties Director to accept a gift of a mahogany desk from Dore' Hunter, to be used in the new Public Safety Building, or for other appropriate Town purposes, for Board consideration.

**33. ACCEPT GIFT** – Enclosed please find a request from the Municipal Properties Director to accept a gift of various items to be used in the Public Safety Building, or for other appropriate Town purposes, for Board consideration.

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

**34. VERIZON BUSINESS LINK REWARDS** – The Town Manager will explain the enclosed memo from the Municipal Properties Director, as well as a larger policy issue in this regard, and seek Board Approval.

## **VII EXECUTIVE SESSION**

**35. THERE WILL BE A NEED FOR EXECUTIVE SESSION** – Enclosed please find confidential 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.

Sept. 13, 27

Oct. 18

Nov. 1, 15 and 29

Dec. 13

Jan. 24

### **GOALS 2004-2005**

1. Establish Protocol for Manager and Supt. of Schools to confer weekly to improve liaison (Dore')
2. Produce Morrison Farm Development Master Plan (Bob/Walter)
3. Improving Intra Board Communication (Dore')

**GOALS carried forward**

4. Monitor Labor Negotiations (Peter/Trey)
5. Improve Communication with Town Boards (ALL)
6. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
7. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
8. Process Planning for "Life after NESWC" (Bob)
9. Joint IT process-organizational change (Walter/Dore')
10. Middlesex Pension Alternatives (Walter/Trey)