

# **Selectmen's Minutes**

## **APRIL 26, 2004**

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

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

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

Members of the A/B Arts Council Ann Budner and Elaine Sisler performed a dance thanking the Board for allocating their salaries to the Arts Council.

Mia Spies – Noted her concern with the Morrison Farm redevelopment.

#### **SEWER COMMISSIONER'S REPORT1**

Sewer – Dore' discussed the subsidy balances. Peter felt we needed more information and what to do looking forward to next year.

Sewer Expansion – Don spoke about the expansion and the negotiations with Powder Mill Plaza and Acton Ford. They have been researching bringing them on line. They will need to pay to get the sewage up to us. It was noted that other businesses might well be served with the possibility of expanding their tank. Bob questioned if the increase could save people money. The commercial pays a slightly higher rate and feels this is a win win situation. TREY SHUPERT- Moved that the BOS direct Town Manager and Health Director to pursue sewer expansion and to follow the planned course as outlined in the memo, and forward the results to the BOS. PETER ASHTON – Second.  
UNANIMOUS

Dore' noted we should send out notices for those already in the system so they are informed first hand of the situation.

Dore' said the Board should conceptually agree. Walter questioned the closing of Powder Mill Plaza and Acton Ford. He asked about the expansion and asked to include other residents if possible.

**BOARD REORGANIZATION – WALTER FOSTER** – Moved to nominate Dore' as Chairman. PETER ASHTON – Second. UNANIMOUS VOTE  
**DORE' HUNTER** – Moved to nominate Peter Ashton as Vice Chair. UNANIMOUS VOTE  
**DORE' HUNTER** – Moved to nominate Robert Johnson as the Clerk. PETER ASHTON – Second. UNANIMOUS VOTE

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

**DOLI ATAMIAN CAMPERSHIP PROGRAM** – Betty McManus outlined the Program to the Board. They have had great success in bringing summertime activities to those children who normally would not be able to participate.

**SITE PLAN 10/09/03-395, MONTOURI REALTY TRUST, 1-19 MAPLE STREET** - Trey Shupert asked about a contribution to the Sidewalk Fund. He also asked about the driveway as proposed.

Walter spoke about using funds received to build sidewalks from Stow Street and/or use by the Rail Trail. He wanted to keep the donation use generic. .

Peter asked if the outdoor lighting and if they met the new Bylaw. The engineer felt it was less than what the bylaw required. It was also noted the TAC comments would follow. They felt they could have Garry write the decision for AART or Sidewalk on Stow Street.

Shawn Hanley neighbor, wanted to give thanks for the changes that have been made to the plans so far.

Mary Utt, 50 Maple Street – She wanted the monies earmarked for Sidewalks.

**TREY SHUPERT** – Moved to close the public hearing and to take under advisement to include the TAC comments to be reviewed by Peter. **WALTER FOSTER** – Second. **UNANIMOUS VOTE**.

**ACTON INDOOR SPORTS 30 GREAT ROAD SITE PLAN #08/22/95-353 - LIQUOR LICENSE AND COMMON VICTUALLER CONTINUED TO JUNE 14, 7:15 AND 7:20.**  
**TREY SHUPERT** – Moved to continue to the above dates and times. **PETER AHSTON** – Second. **UNANIMOUS VOTE**

**SITE PLAN SPECIAL PERMIT #03/09/04-396, MARGARET NAZZARO, 253 ARLINGTON STREET –DORE' HUNTER** – Moved to continue to May 10<sup>th</sup> at 7:30. **PETER ASHTON** – Second. **UNANIMOUS VOTE**. Peter Libman spoke about large trees that are to be removed and has changed the view, in addition to more noise.

#### **MATTHEW LUNDBERG, RECREATION COMMISSION**

The Board asked that he push the process for planning in the Recreation Commission for long term planning. **PETER ASHTON** – Moved to appoint Mr. Lundberg to full member with a term to expire June 30, 2007. **TREY SHUPERT** – Second. **UNANIMOUS VOTE**.

#### **SELECTMAN'S BUSINESS –**

**SITE PLAN SPECIAL PERMIT 04/04/03-390 PITTORINO – 816 MAIN STREET** – Dore' noted that Garry had comments and they satisfied. Trey spoke about them crushing and burying the block and that it is a 21 E site. Walter was concerned about possible foundations being filled. Peter said we should include the Town Engineer's comments. **DORE' HUNTER** - Moved that we readdress this at the next meeting. **TREY SHUPERT** – Second. **UNANIMOUS VOTE**

**MIDDLESEX PENSIONS** – Dore; felt it was time to turn loose Steve Anderson and to have them served under public Records request. He would like to see the fee's for the Attorney. Don was asked to move forward with the Public records request. **TREY**

**SHUPERT** – Moved to file an aggressive request for MCR records and to and get to the bottom of the situation. **PETER ASHTON** – Second. UNANIMOUS VOTE.

**MAKAHA – LIQUOR VIOLATION** – Dore' felt we should invite the management in to discuss the hours of serving. He suggested that we invite the Manager and Owner and their Counsel. Provide the police reports to the Board.'

**NO BUILD ZONE - REQUEST FOR BASKET BALL COURT** The Board discussed the paperwork/decision. Dore' noted that it appears as appertain to the home. Ask the owners to provide sketches and have her notice to her neighborhood and then we discuss this again.

**SELECTMEN MEETING SCHEDULE** – The Board discussed this Meeting Schedule and it was adopted.

**TENT ON TOWN COMMON –TREY SHUPERT** – Move to approve with supervision by Dean Charler. **PETER ASHTON** – Second. UNANIMOUS VOTE.

**APPROVAL OF INCREASED FEE FOR 40B PROJECTS** – Don noted that we currently handle this like the Planning Board, a base fee and then by unit. Dore' did not want to take advantage but we do need to get fee quantifiable and tie to the work that is involved. Don asked that we take more time and bring a better plan to the Board. Peter wanted to get a feel of costs on Main Street and Fort Pond Place, and what would be an appropriate base fee. **PETER ASHTON** - Moved we set the fees for 40 B as set forth in the April 15, 2004 Memo from Garry Rhodes. **TREY SHUPERT** – second. UNANIMOUS VOTE.

**PROPERTY TAX CLASSIFICATION**- Trey spoke to the subject and will attend the meetings.

**TOWN OWNED LAND – 344 MASSACHUSETTS AVE.**-They discussed the question about purchasing the parcel. They will talk to Habitat folks about how they would suggest we move forward. Trey Shupert asked that staff compile a list of available properties that we could sell and their assessed value, as well as staff recommendations.

Mike Eder, Farmstead Road, asked about container business currently on Mass Ave. He and his neighbors did not want to see this use expanded to 344 Mass Ave.

#### **OTHER BUSINESS]**

Dore' spoke about his new interest in researching former Boards of Selectmen as well as his reading of Phalens History of Acton.

The Board reviewed the Goals and made changes and deletions as follows:

## **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)

### **GOALS carried forward**

3. Monitor Labor Negotiations (Peter/Trey)
4. Improve Communication with Town Boards (ALL)
5. 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)
6. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
7. Process Planning for "Life after NESWC" (Bob)
8. Joint IT process-organizational change (Walter/Dore')
9. Middlesex Pension Alternatives (Walter/Trey)

The Board also looked at the Committee Assignment list and made minor changes:

## **.ACTON BOARD OF SELECTMEN COMMITTEE ASSIGNMENTS May, 2004 - May, 2005**

### **ADVISORY COMMITTEE**

### **BOARD MEMBER ASSIGNED**

ALG	Dore'/Peter
Open Space and Recreation	Peter
MAGIC	Peter/Walter (alternate)
Corridor Advisory Committee	Dore'
Economic Development	Trey/Bob
Suburban Coalition	Walter
Public Safety Facilities Committee	Dore/Trey
Land Stewardship Committee	Walter
MBTA Advisory Committee	Dore'
Senior Tax Relief Taxation Aid Committee	Peter
Acton Wastewater Citizen Advisory Committee	Trey
Outdoor Lighting Advisory Committee	Trey
Investment Advisory Committee	Peter

### **BOARD AND COMMITTEE LIAISON**

### **BOARD/COMMISSION/ COMMITTEE**

### **BOARD MEMBER ASSIGNED**

Cable	Walter
A/B Arts Council	Trey
Appeals	Trey
Assessors	Peter
Health	Bob
Cemetery	Walter
ACHC	Trey
Community Preservation Committee	Peter

Conservation	Peter
COA	Peter
Fair Housing	Trey
Hanscom Advisory	Dore'
Historic District	Dore'
Historical Commission	Dore'
LRTA	Don Herskovitz
Planning	Walter/Trey
JTAC	Dore'/Walter
Recreation	Walter
VCC	Dore'
School Committees	Peter
Finance Committee	Dore'/Peter
Minute Man Tech.	Walter
TAC	Bob

Trey spoke about Morrison Master Plan and would be happy to serve on the Committee.

Peter asked about 2005 meeting and wanted to know if it was scheduled for May 4, 2005.

Peter spoke about Lacrosse use and the parking of cars at the T.J. O'Grady Skate Park. We should put a stop to these activities. Manager to review.

Walter noted that CPA will be meeting shortly.

Walter thanked everyone for their support over the past year.

## CONSENT AGENDA

TREY SHUPERT – Moved to approve. PETER ASHTON – Second. UNANIMOUS VOTE.

## TOWN MANAGER'S REPORT

No report made

## EXECUTIVE SESSION

None required

Christine Joyce  
Christine Joyce  
Recording Clerk

Beth  
Beth  
Clerk  
5/2/04

April 23, 2004

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

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

**I. CITIZEN'S CONCERNS**

**II SEWER COMMISSIONERS' BUSINESS**

1. **SEWER EXPANSION**- Enclosed please find a recommendation for expansion of the Sewer area from the Health Director, for Board consideration.

**III. PUBLIC HEARINGS & APPOINTMENTS**

2. **7:05 BOARD REORGANIZATION**
3. **7:10 DOLI ATAMIAN CAMPERSHIP PROGRAM** – Representatives of this program will be in to update the Board on their Camper program.
4. **7:15 SITE PLAN 10/09/03-395, MONTOURI REALTY TRUST, 1-19 MAPLE STREET**  
Enclosed please find materials in the subject regard.
5. **7:30 SPECIAL PERMITS #08/22/95-353, ACTON INDOOR SPORTS, 30 GREAT ROAD**- Enclosed please find materials in the subject regard for Board Consideration.
6. **7:35 SITE PLAN SPECIAL PERMIT #03/09/04-396.– MARGARET NAZZARO, 253 ARLINGTON STREET** – Enclosed please find materials in the subject regard for Board consideration.
7. **7:45 MATT LUNDBERG, RECREATION COMMISSION CANDIDATE** –  
Enclosed please find Mr. Lundberg's VCC application for Board consideration.

**IV. SELECTMEN'S BUSINESS**

8. **SITE PLAN SPECIAL PERMIT #04/04/03-390, PITTORINO, 816 MAIN STREET**-  
Enclosed please find materials in the subject regard for Board consideration.
9. **MIDDLESEX PENSION SYSTEM** – Enclosed please find the report of the Public Employee Retirement Administration Commission (PERAC) on the examination of the Middlesex Contributory Retirement System, for Board consideration.
10. **MAKAHA LIQUOR SERVICE ISSUES** – Enclosed please find materials in the subject regard for Board consideration.

11. **"NO BUILD ZONE", POPE ROAD** – Enclosed please find a memo from the Building Commissioner, for Board consideration.
12. **SELECTMEN'S MEETING SCHEDULE** – Enclosed please find the proposed Meeting schedule for Board consideration.
13. **TOWN COMMON USE PERMIT- TENT REQUEST** – Enclosed please find materials in the subject regard for Board consideration.
14. **FEES INCREASE, BOARD OF APPEALS COMPREHENSIVE PERMITS** – Enclosed please find a request from the Building Commissioner for an increase in the application fee for Comprehensive Permits, for Board consideration.
15. **PROPERTY TAX CLASSIFICATION HEARINGS** – Enclosed please find correspondence from Selectman Ashton in the subject regard, for Board consideration.

16. **TOWN OWNED LAND, 344 MASSACHUSETTE AVENUE, MAP G3, Parcel 11-1** – Enclosed please find a letter from FORESITE Engineering expressing their interest in the purchase of this parcel, for Board consideration.

#### **17. OTHER BUSINESS**

### **V CONSENT AGENDA**

18. **ACCEPT GIFT – STREAM TEAM PROJECT** – Enclosed please find a donation of \$100.00 from the Organization for the Assabet River to be used for the Stream Signage Program, for Board consideration.
19. **ACCEPT GIFT – ACTON GARDEN CLUB** – Enclosed please find a request for acceptance of new plantings valued at \$784.00, for the front of the Memorial Library, as well as an invitation to attend the "unveiling" on June 1, for Board consideration.
20. **BOY SCOUT YARD SALE REQUEST** – Enclosed please find a request from the Boy Scouts for use of the Town Hall parking lot from 9:00 a.m. to 2 p.m. on May 15, for Board consideration.
21. **ONE DAY LIQUOR LICENSE REQUEST** – Enclosed please find a request for a One Day Liquor License at NARA on June 25, 2004 for Board consideration.
22. **LION'S CLUB FAIR** – Enclosed please find an application for the Annual Town Fair to be held at the Parker Damon Building parking lot from June 23 to June 27, for Board consideration.
23. **DISPOSITION/DISPOSAL OF MUNICIPAL EQUIPMENT AND MATERIALS** – Enclosed please find a request from the IT Dept. for disposition or disposal of obsolete Equipment.

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

### **VII EXECUTIVE SESSION**

There will be a need for Executive Session, enclosed please find enclosed Materials

## **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.

### **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)
  
9. Public Safety Facility (Dore'/Trey)

### **GOALS carried forward**