

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

March 5, 2018

Francis Faulkner Room 204

Special Meeting 7:00 PM

To view the full meeting, please [click here](#)

Present: Janet K. Adachi, Katie Green, Joan Gardner, Peter J. Berry, Chingsung Chang, Town Manager
Steve Ledoux, Lisa Tomyl, Recording Secretary

Citizen Concerns

None

Chairman's Update/Operational Update

Ms. Adachi – - Minuteman tour – If any Selectman interested, let me know. Acton's MM School Committee representative Pam Nourse will arrange for BOS, Finance Committee and School Committee members to tour existing building (not construction site for new building. Videos and other information about that on Minuteman website).

Town Manager Search Committee update – TMSC expects to have list of finalists ready for BOS's consideration later this month. BOS screening of finalists will not begin until after annual Town Meeting ends. Between now and then, and in the interest of efficiency because any BOS preparation must be in public meeting, I will be working with Katie as Vice Chairman to develop a detailed process for the Board to follow during the screening.

1) First, we will be conferring with MRI, the consultants TMSC has been using for specific tasks, to develop a list of services on which MRI could assist the BOS; we will bring that proposed agreement back to BOS for discussion and approval.

2) Then we will continue to work with MRI to develop the aforementioned detailed process, including schedule with specific dates, etc. When that process is ready, the BOS can schedule an appointment for TMSC to formally present its final report, including the list of finalists; all information will be public, as will the BOS's screening of the finalists. Only contract negotiations with the successful candidate will be in Executive Session.

Pancake breakfast with Easter Bunny, Saturday, 3/10, 9:00-11:30 am, South Acton fire station, School Street.

Acton Area League of Women Voters annual Civics Bee, Saturday, 3/10, Room 204. BOS members and Town Manager have been enthusiastic participants in past years and some of us will be there again on Saturday.

446 Mass. Ave. Ch. 40B project – public info. session, Monday, 3/12, Room 204. 100% affordable rental project for age 62+ with elevator service. Developer is Steve Joncas, who did old high school project. 31 1-BR rentals, lower end of income spectrum: 60% AMI or below. Sewer, public water; architect is very positive about heat-pumps and is considering for this project.

AA-LWV candidates forum, St. Patrick's Day, Saturday, 3/17, 2:00 pm, Conant School. Contested BOS, School Committee and AWD races.

Acton Conservation Trust annual meeting, Sunday, 3/18, Room 204.

Daylight saving time starts Sunday, 3/11.

Mr. Ledoux – ALG met last Wed and finalized the ALG plan for the TM warrant including FY20-22. Cyclone bomb hit Friday – town fared well only 8 incidents with trees on power lines. Didn't get too bad and were fortunate.

Public Hearings

All Alcoholic Beverage License and Common Victualler, Yang & Zhang, Inc. – Ms. Adachi read the public hearing notice. Representing Yang & Zhang is Danny Zhang and Jason Yang. Gave a brief synopsis of their plans for a sushi and Chinese restaurant in Nagog Park. Ms. Green moves to approve the all alcoholic beverage license and common victualler license, Ms. Gardner seconds. All Ayes.

Selectmen's Business

Water Resources Advisory Committee Water Study Presentation – Robert Sekular presented a power point presentation to the Board.

Mr. Berry commented that Acton Water District has links on their website regarding long term water studies.

Matt Mostellar (AWD) – difference in the long range planning - this seems to be looking at all the topics we are looking at and is all under one umbrella.

Ms. Green commented that asking for money so late in the season is not going to be available and to look towards outside groups and grants for consultants and funding. Ms. Adachi mentioned that they will need to consult with the Town Manager as far as availability for permanent town staff assistance.

Mr. Sekular commented that he is looking for approval to move forward with phase one with the financial limitations and limited staff assistance.

Ms. Green suggested to move forward with a workshop and work with Selectmen liaison. When you come up with an outline with Phase II, come back to the BOS in September when the budget is worked out for financial support set aside for money for consultants.

Ms. Gardner - should move forward with the workshop

Matt Mostellar – saw some of the draft but has not had a chance to see the final – has provided guidance and numbers for WRAC. Would like to work with the committee to provide information before the workshop occurs.

Robert Sekular – will work with Ms. Gardner setting up the workshop and also with the Acton Water District.

Barry Rosen – AWD is involved with this and was discussed at a Commissioner’s meeting. The Commissioner’s will be involved with the project and would help financially with it.

Terra Friedrichs, West Acton – issue is water and was the lone Selectmen to create the WRAC. Water District does article forecast and planning, and the BOS and Town Manager has jurisdiction over Land Use. So Land Use creates the demand. Talked about water planning fees, requesting town staff to find documents for her and her “cat” (when referring to the term “we”) since it is difficult to find documents if they are in paper form.

Ms. Adachi feels the workshop planning is the first step and would like to hear from the AWD more about this. Asked about what type of staff they were looking for. Mr. Sekular suggested someone that would be able to find documents and who have some hydrology experience, but any help would be appreciated.

Ms. Adachi reminded Mr. Sekular to utilize the WRAC email shell for communications to avoid any violations of the Open Meeting Law.

Danny Factor, 11 Davis Road, water is a human right and a necessity – if we were in a situation that overdevelopment in town was getting to point creating the potential for a water emergency. It could cause social unrest. If we get to a point that there be a strong voice that could use that language to voice the concern.

Kim Kastens, Pope Road – science is capable to provide the answers to the questions. Need to apply the science to Acton and surrounding towns to all the threats in quality and quantity.

Taxi Incentive Within Cross Town Connect – Franny Osman presented to the Board a request to have the Board approve a letter regarding a taxi initiative with CrossTown Connect to fill in some of the transportation gaps. The chair decided that she wanted to draft a letter that the Town Manager would sign to be submitted to MAPC instead of the standard form that was presented to the Board. Basically the application and letter would cover the 20% cost.

KG – signing now for technical assistance and not providing a subsidy for the initiative. FO – that is correct it is just for applying for the grant.

Terra Friedrichs, West Acton - supportive of the idea and use local taxi drivers - glad to see it moving forward.

Danny Factor 11 Davis Road as a member of COD we get requests from citizens having trouble getting medical transportation. CrossTown Connect has helped. Some residents need to see a specialist

outside of the travel area. There is an organization called Neighborhood Brigade made up of volunteers to provide rides to medical appointments.

Terra Friedrichs, West Acton – if you want to help with rides you can go to their website and continued to talk about transportation.

Ms. Green moves to have the Town Manager sign the Multi-Community Taxi Incentive Proposal for the Town of Acton, Mr. Berry second. All Ayes.

Approval of Proposed Wetlands Protection Act Filing Fees– Tom Tidman from Natural Resources outlined the filing fees. Went through the list of items of different permits issued.

Ms. Green questioned if he consulted with surrounding towns and if there were any plans to do some sort of outreach to let them know about the fee changes. Mr. Tidman explained that they work with a number of engineering firms and plan to inform them to let their clients know. Terra Friedrichs, West Acton – questioned about what percentage the fee increase was – went from 20% to an increase at 50% of the state fee. Fran Portante explained that there was a 50% state fee increase and never from the DEP fees, so the Department is adding a 50% of the cost per dollar for state fees.

Mr. Berry moves to approve the proposed Wetland Act filing fees, Ms. Gardner seconds. All Ayes

Green Advisory Board Projects for Green Communities Grant/Department of Energy Resources Funding–

Mr. Berry gave an overview regarding the recommended projects for grants and does not recommend approving the current list presented as there is still some fine tuning going on. Requests to give the Town Manager the authority to sign off on the final recommendations.

Ms. Gardner moves to approve to have the Town Manager sign off the final funding requests, Ms. Green seconds. All Ayes

Selectmen Warrant Articles Assignment, Discussion on Articles 11 and 12 -

Article 7 – Mr. Berry moves to approve to recommend, Ms. Gardner seconds. All Ayes

Article 11 – deferred

Article 12 – deferred

Article 26 – Non-Binding Resolution – Great Road Water Supply

Ms. Green stated that there intends to be further discussion and explanation at the next scheduled meeting regarding the article and that the article refers only to a separate intermunicipal agreement for water supply for Great Road and not the separate Site Plan Special Permit decision.

Terra Friedrichs, West Acton – questioned why the public can't see the agreement if Concord has – Ms. Adachi explained that it is still in litigation.

Robert Sekular, Parkland Drive – feels that the supply to 2A is a miniscule amount compared to the bigger supply (of Nagog Pond)

Marilynn Miller – commented that the environmental impact study should be done by the contractor hired by Concord – concerned about the long term effects it may cause.

Terra Friedrichs, West Acton – questioned what litigation this (Article 26) is referring to, Ms. Adachi explained that this article is part of a side agreement and not the actual Site Plan Special Permit

decision. Mr. Chang stressed that Acton is legally required one way or another to supply water to all its residents and businesses regardless if it is Concord Water or Acton Water.

Kim Kastens suggested that the language be firmed up regarding the term "if the need arises" in the article summary.

Article 27 – Ms. Adachi moves to take no position, Ms. Gardner seconds, 3-2 (Mr. Berry, Ms. Green)

Article 28 – Ms. Green moves to take no action, Ms. Gardner seconds, All Ayes

Article 31 – Ms. Green moves to remove article 31, Ms. Gardner seconds, All Ayes

Consent Agenda

Ms. Green moves to approve consent items 7-15, Ms. Gardner second. All Ayes.

Ms. Green moves to adjourn, Ms. Gardner seconds. , All Ayes

Meeting adjourned at 9:50 PM

Respectfully submitted,



Lisa Tomyl, Recording Secretary



Joan Gardner, Clerk