

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING MINUTES

clerk

Francis Faulkner Meeting Room
Town Hall

March 17, 2008 7:00 PM

Present: Chairman Hunter, Selectmen Rosenzweig, Magee, Berry and Knibbe, Town Manager Steve Ledoux and Recording Secretary Maryjane Kenney

I. CITIZENS' CONCERNS

None

II. PUBLIC HEARINGS AND APPOINTMENTS



OPERATIONAL MINUTE

The Town Manager announced that starting April 1st commuter parking behind the fire station will be resident only parking. The other important item is the warrant is posted in municipal buildings and is up on the web and has been sent out to the citizens.

ORDER OF STREET LAYOUT AND RELOCATION, MAIN STREET ALONG CONANT PROPERTY

Corey York from the Engineering Department and Andy Magee, lead Selectman, presented the relocation plan. Safety of the layout and the taking of several trees became concerns in the original plan, so staff reevaluated the project. The Water District will vote Wednesday night and it is anticipated that they will be in agreement with the new plan. It relocates the road along Conant's property. Selectman Magee made a motion to accept the new easement, Selectwoman Rosenzweig seconded. Selectman Berry stated the motion will go to Town Meeting with the vote of being accepted by the Selectmen. Brian Bendig requested the time and place of water district vote in regards to this layout. He would like the Board to not vote in favor of the sidewalk. It is his belief that it is not possible in the fight for dollars this year to justify this vote. He has not seen any pricing or project development for the project to lay asphalt. It is a very wet area, has anyone analyzed this problem. Selectman Magee has no plans for bridge work. Mr. Bendig feels there will be a necessity to have bridge work over the 2 existing streams and is concerned about the possibility of a guard rail at the crosswalk. Ultimately we need to find a less expensive way to do this with out possible ruin of the historic value of the area. Selectman Magee stated the wetlands have been mapped. There is funding from a fund set up by Quail Ridge for the sidewalk project. The Selectmen pointed out that the North of town is totally cut off from walkers and bikers. Improvements to Brook Street are under discussion to be accomplished at the same time. Selectwoman Knibbe reminded citizens that this sidewalk does not affect next year's monies; it has all been allocated for this current year spending. Kimberly Hughes a citizen had concerns on how will it impact Davis Trail at Main Street. It is the second most important historic landmark in Acton. Selectman Magee stated that section will not require grade changing or tree removal with in 100 feet and the sidewalk will be somewhat hidden at that point. It is private property. Contractually, 4th of July and April 19th Brewster Conant must allow people on his property. It is being paved across Davis Trail according to town council this is acceptable. It does need to be handicap accessible so that limits what the walk can be made out of. Tom Peterman, questioned why this is a priority for the Town. Mr. Monahan, of 14 Arlington Street, asked what the cost to the town is. Chairman Hunter replied it has to be bid we do not have a cost. We are trying to

position ourselves so we can build it; if technically we can't then we will have to re-visit it. The proposal is simply for the easement not to actually build the walk. The Selectmen could possibly put it on the warrant as a capital expense. Selectman Magee stated that Town Meeting has already voted this as a capital project. Corey York stated the original Quail Ridge grant was \$60K towards the funding of Main Street sidewalks. Citizens spoke of their appreciation of Selectmen Magee's work in the new layout plan others mentioned their concerns of taking away from the historic nature of the area. The Selectman voted all in favor of the new layout and relocation.

ORDER OF STREET TAKING, PARKER STREET AT HIGH STREET

The owner at 185 Parker has given an easement to the Town to relocate the street. The stone wall at the end of the property will also need to be adjusted. Selectman Magee stated that cars appear to travel faster when improvements are made. Additionally this road is used as a cut through road. Could we have Engineering look into incorporating a four way stop? Selectman Rosenzweig made a motion to approve Selectman Magee seconds, all voted to approve.

ELM ASSOCIATES, D/B/A COLONIAL SPIRITS, 87 GREAT ROAD, TRANSFER OF STOCK

Steve Steinberg has owned the store together with Ed Morrill for several years. Mr. Morrill has decided to transfer his remaining 50% share of the company by transfer of stock. The license will continue to be listed as Elm Associates, Inc. dba Colonial Spirits. Selectwoman Rosenzweig noted the major concern with Liquor Licenses is avoiding tragedy by not selling to underage or inebriated customers. All his employees take training courses on serving. They also have a stamp to validate a license has not been tampered with and they have officers on the busiest nights if they are available. They take the problems involved with selling alcohol very seriously. Selectman Magee made a motion to accept the transfer of ownership to Mr. Steinberg; it was seconded by Selectwoman Rosenzweig. All voted in favor of approval of the transfer.

NSTAR AND VERIZON OF NEW ENGLAND, INSTALLATION OF ONE NEW POLE AT QUARRY ROAD

Selectman Magee moved to approve the pole installation at Quarry Road and Selectwoman Rosenzweig seconded the motion.

COMMON VICTUALLER LICENSE, PEKING TOKYO ASIAN RESTAURANT, 124 MAIN STREET, LISA YEE APPLICANT

Lisa Yee's husband came to speak for his wife. The hours of operation will be Wednesday through Monday 11A.M.-9:30P.M. Tuesday they anticipate being closed. The restaurant will be for take-out, they are licensed to sell food only. The Chairman noted the Health Department will be meeting on a steady basis help monitor the new undertaking. Selectman Berry wanted to be certain if there were any new plans for signage that it will be correctly approved as the store is in the historic district. Selectman Magee moves to approve and Selectwoman Rosenzweig seconds, the common victual license is approved.

COMMON VICTUALLER LICENSE, TO BE DETERMINED, INC, D/B/A SPRIGS, 5 STRAWBERRY HILL ROAD, MARTHA SERVEY, MANAGER

Martha Servey was present for questions concerning her Common Victualler License. She will be the new manager and would envision keeping the same historic feel to the restaurant. (No approval from Health Dept in packet) The granting of that license will be

pending approval from the Health Staff. Selectman Magee made a motion to approve contingent upon approval of the Health Department. Friendly amendment made by Lauren Rosenzweig that approval is needed by building also. The motion was so amended, all voted in favor of approval once the appropriate filings by Health and Building are completed.

7:55 TRANSFER OF A FULL ALCOHOLIC BEVERAGES AS A COMMON VICTUALLER, FROM CLAQUER DU BEC, D/B/A #5 STRAWBERRY HILL ROAD TO, TO BE DETERMINED, INC. D/B/A SPRIGS, 5 STRAWBERRY HILL ROAD, MARTHA SERVEY, MANAGER

Martha Servey has worked in many restaurant/bars. She has consistently has updated her TIPS certification. The Chairman stated the restaurant's current Liquor Policy is a good one. All employees receive training within the first 60 days. She finds it helpful that guests can now bring home wine, there is no need to drink it fast. Selectman Magee moves to approve the transfer of the alcohol license and Selectman Rosenzweig seconds all voted to approve the transfer of the full liquor license.

8:15 COMMUNITY SERVICES COORDINATOR

Tina Grosowsky and Paul Henrion gave a presentation encouraging the Board of Selectmen to fund a Community Service Coordinator. The question to answer is "What is a healthy community". They drafted job description and drafted a proposal after completing the research that the Board previously requested. Acton has various agencies that provide help such as the Police Department, United Way, the Health Department, Nursing, counselors at the high school and the Council on Aging. The problem is they each only deal with a small segment of the population and are unaware of other services that they could possibly direct citizens to. Many of these groups are unavailable for help in the hours they might be needed most. The citizens sometimes are unaware of any of the services. Volunteers are not able to deal with the family and associated problems that arise in a family with needs. Outsourcing has the problem of turnover and unfamiliarity with issues as each new person comes on shift. They feel that it becomes extremely important to have a senior person, someone who knows how the town offers help and can address a large range of issues and seek help and grants both town and state wide. Selectman Berry was moved by the completeness of the presentation but this is a tough year to have to fund this. Selectman Magee strongly supports the request personally but the economy is awful. This makes these services even more necessary. Selectman Rosenzweig is very impressed with the thoroughness of the work. Acton definitely has a need and she strongly supports this new position, this is crisis prevention. Selectman Knibbe expressed how impressive the presentation is, clarifying that the coordinator helps clients with initial counseling and referrals helping people access services. She would like to see added to the discussion where will this go and what will it cost to fund the department now and in 5 years. The Chairman advised the group to present at the pre-town meeting and let the citizens decide. Selectman Magee stated we have to speak to citizens at town meeting. Physically where do we put this person? Tina requested permission to do some publicity. Absolutely, you are free to do anything to get out the message.

8:45 PETER GOMEZ, EAGLE SCOUT PROJECT TO BENEFIT THE HOME GOODS RECYCLING MINISTRY

Peter presented his Eagle Scout project. He is a life scout. He volunteers at HGRM and as part of that process asked what the managers of HGRM would like if he could concentrate his Eagle Scout project on their program. They answered that they would like some form of

advertising for their Recycling Ministry. There will be no pick up or drop off, just the sign to advertise their needs for recycled goods. The Chair would like to give permission based on advice of staff. Selectman Magee is very much in support of the recycling effort. Selectwoman Rosenzweig moves to approve subject to conditions satisfactory to staff and Selectman Magee seconds. All vote their approval. Peter requested a letter to be signed by the Chairman.

8:55 PETER ASHTON OPEN SPACE AND RECREATION SURVEY PRESENTATION

Mr. Ashton wanted to present the survey results to coincide with the plans of the visioning survey now being collected by the Community Comprehensive Committee. The open Space and Recreation survey results are similar to the one done seven/eight years ago. 1200 responses came in with updated information and it was all done by volunteers. Results are remarkably consistent to the survey done several years ago. There was a new interest in conservation restrictions, which showed a change from the last survey. The results of the study will direct how conservation and recreation plan to move forward. Protection is major concern as is congestion and traffic. Selectwoman Rosenzweig is very pleased to look to it for reference with the Comprehensive Community Plan. The Open Space Committee additionally is prioritizing land that would be important to save. Selectman Knibbe asked what was learned in terms of sidewalks. The survey shows it is probably the 4th most common complaint. Conservation restriction could lower your taxes.

III. SELECTMEN'S BUSINESS

TOWN MEETING/ALG DISCUSSION

The Chair updated the board on his meeting on Sunday with Fincom Chair Pat Clifford and Vice Chair Steve Noone. Selectwoman Rosenzweig added extensive cuts have been made due to the economy. The Town Manager reported that in the ambulance revolving fund only 1% of the amount raised by taxation can be expended in the Revolving fund. Remedy is to take \$230K and then borrow the delta. The Chairman read the motion written by John Murray.

_____ moves that the Board of Selectmen rescind all prior votes concerning the Fire Department's ladder truck and authorize a request for an appropriation of \$800,000 for the replacement of the Fire Department's ladder truck and to fund such purchase by transferring \$ 229,978 from the Ambulance Revolving Account and borrowing \$570,022 and to fund the first year' debt service on said borrowing by transferring \$60,000 from the Ambulance Revolving Account.

The Town Manager will advise Pat Clifford Chair of the Finance Committee of the vote. Selectwoman Rosenzweig made the motion to approve the language of the motion and Selectman Magee seconded the motion, all voted in favor. Selectman Magee spoke to being in favor of the additional police officer. The Board of Selectmen will open their public meeting an hour before the start of Town Meeting and keep open until the end of town meeting. Can Selectmen ask staff to help with presentations through the Town Manager? Send information to Steve Ledoux and he will connect with the appropriate staff.

DRAFT POLICY, WEB POSTING

The Selectmen posting on the web is simply a Board clarification as opposed to a free dialog, which is what is being requested. Selectwoman Knibbe needs to like to respond immediately at times and that response time might be lost if it is restricted until the Board hold a meeting to vote. The Town Manager suggests "Frequently asked Questions" would be a good place to direct citizens to get information. Selectman Magee suggested a few changes in the wording. Selectman Berry stated that ethically the Selectmen cannot push a position on the web. Selectman Magee added if you write a letter to the Beacon you need to state that your comments are as a citizen not as a Selectman. That does not

preclude the Selectmen from meeting and taking a vote to send a letter to the Beacon representing their collective opinion. Selectman Magee made the motion to approve the Web Posting Policy with amended wording, Selectwoman Rosenzweig seconded and all approved.

Draft Policy Web Posting

The Town of Acton's web site (www.acton-ma.gov) exists to present information to the public regarding the operation and services of Town government. Information prepared by individual Board of Selectmen members will not be posted on the site unless such information has been formally adopted as a message or policy statement from the Board of Selectmen on the subject matter at hand. Other information will be published subject to Town Manager's approval.

ACTON HOUSING AUTHORITY, LIP APPLICATION, SOMERSET HILLS CONDOMINIUMS

The Town is working in partnership with the developer. Kelley A. Cronin of Housing Authority stated the Selectmen have already given approval for the project in 2005. The Selectmen today are being asked to accept the three condominiums as part of the Local Action Units for the Town. Selectmen Rosenzweig moved to approve and Selectman Magee seconded, all approved the acceptance of the LIP Units.

ACTON COMMUNITY HOUSING CORPORATION, REQUEST FOR EXPENDITURE OF FUNDS FOR ACTON HOUSING AUTHORITY UNIT PURCHASE, SOMERSET HILLS CONDOMINIUMS

The Board has authorized the use of \$115,000. of Community Preservation funds for ACHC to purchase a two-bedroom condominium to add to the Town's subsidized housing inventory. The offer at Briarbrook Village was rejected. Therefore the Corporation now requests to use those same funds for a unit at Somerset Hills on Wampus Avenue. The Board approved the request.

OTHER BUSINESS

Selectwoman Rosenzweig announced the March 29 Visioning workshop.

Selectman Magee reported on the WRAC meeting that he and Selectwoman Rosenzweig attended regarding the Tuttle and West Acton neighborhoods. The betterments are extremely high. The neighborhood wants to continue looking into and expansion to include denser areas to see if that lowers the costs. The consultant introduced newer technology. Larger pump and allows more houses in the system. The Selectman promised to look into alternative options. They will be doing a public education outreach on what can go into sewers.

Selectmen Berry announced to the public that there is a \$157K reduction in the Town's Health Insurance budget. He announced that the Cable Committee is looking into renewing licenses and alternative licensing options.

Selectman Knibbe has been pleased with very successful sidewalk meetings.

IV. TOWN MANAGER'S REPORT

The Town Manager has a meeting with Tim Kelly, Public Relations of Comcast. Selectmen Berry and Rosenzweig will meet with the Steve Ledoux and Concord leaders to discuss the Alexan project. Selectman Magee moves to go into Executive Session for purpose of discussing litigation. A roll call vote was taken, all ayes.

V. CONSENT AGENDA

Chairman Hunter read the consent items including those from Extra Information, which included:

Bill Klauer, appointment for Cemetery Commission, Michael Fisher appointment for Associate Member of the Transportation Advisory Committee and Ann Chang for an appointment to the Economic Development Committee.

Selectman Magee moved to approve, Selectman Rosenzweig seconded, all voted in favor and all consent items passed.

17. HABITAT FOR HUMANITY DEED AMENDMENT REQUEST

Passed Habitat for Humanity deed amendment request to set the affordability limit of the property at 55% of the area median income.

18. REQUEST FROM OUTDOOR LIGHTING EDUCATION COMMITTEE FOR A TOWN WIDE STAR SEARCH WATCH MAY 2, 2008

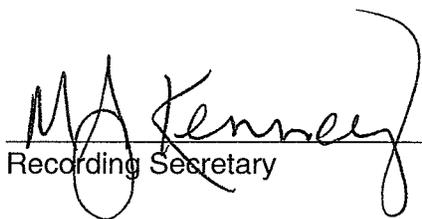
Passed request for Outdoor Lighting Education Committee Star Search Watch

19. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

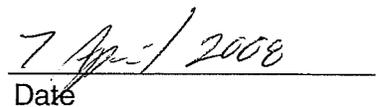
Passed disposal of obsolete materials from Memorial Library.

VI. EXECUTIVE SESSION

There will be a need for an Executive Session


Recording Secretary


Andrew D. Magee, Clerk


Date