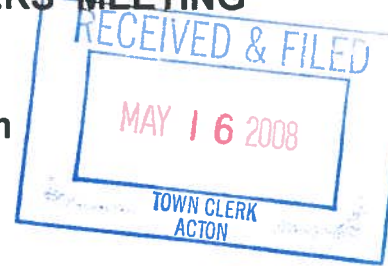


# **BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**

**March 3, 2008  
Acton Town Hall, Faulkner Hearing Room  
7:00 P.M.**



Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe, (sporadically by phone) and Peter Berry. The Town Manager, Steven Ledoux was present. Recording Secretary; Christine Joyce. The meeting was televised.

## **CITIZENS' CONCERNS**

None

## **OPERATIONAL MINUTE**

Steve updated the Board on Web site Policy. He spoke about the use of the web site as a Blog. The comments have been removed from the Web site and that there will be no opinions posted on the Web. Dore' felt we should reduce a policy to writing. A policy will be developed.

## **PUBLIC HEARINGS & APPOINTMENTS**

### **DONELAN'S SUPERMARKET AND GOULD'S PLAZA, RECOGNITION OF THEIR CONTINUING FUNDING OF THE FORTH OF JULY FIREWORKS AT NARA PARK.**

Marvin Gould was present to receive his award. Dore' noted what a boost it is to the community. Mr. Gould spoke on behalf of Donelan's Supermarket and how important that it is to the community. Mr. Gould and the Donelan's are happy to continue to contribute to the town in this way.

### **CHANGE OF LIQUOR MANAGER TO JENNIFER SHEA, QUAIL RIDGE COUNTRY CLUB**

Lauren Rosenzweig recused herself as she is a member of the club.

Jennifer said they have been serving only beer and wine. Their policy is that they be trained and be over 18 to serve liquor to the members. They have the liquor locked away. Dore' asked them to raise the age on checking identification up to age 30. Dore' expressed the importance of the license and having no one get intoxicated and over served.

Andy asked about TIP's training and hoped that they would see that the servers go to Alcohol training classes.

Peter asked about the outside parties. They do not allow them to bring in alcoholic beverages; the club retains the right to have their own servers serve alcoholic beverages.

ANDREW MAGEE – Moved to approve the change in Manager. PETER BERRY, second.  
UNANIMOUS VOTE

Board of Selectmen Special Meeting  
March 3, 2008]

## **SELECTMEN'S BUSINESS**

### **ALG/2008 TOWN WARRANT DISCUSSION**

Article BF Social Worker: Continue to Defer.

NARA Improvements AE: Lauren spoke about the Main Street Study and was in favor, but will still need to be deferred, and asked for more information for the next meeting. ANDREW MAGEE - Moved to approve the capital improvements including Hayward and Main and noted that the ALG plan moves forward they would be acceptable. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

Peter asked about signs on the little island on the corner and noted they are dangerous. He suggested we ask the school to remove them until we have a safer place for them at a new location. Andy said if the sign is illegal take it home before we confiscate them. It was noted that we will review this at an upcoming Board Meeting.

Removing the Deputy Police Chief from Civil Service: Peter is in favor of this article. He feels that a position at this level needs the flexibility to work with the Chief doing what the Chief thinks is appropriate. Civil Service only allows employees who work in the local force to take the test for promotion. Peter feels the highest applicant should go through an Assessment Center. Andy was reluctant to vote for this since we don't have the alternative in place. The limitation is to local and we will not have much of a pool. Andy asked that if we pass this we implement the Assessment Center concept detailed by the Town Manager.

Steve spoke about his experience with the Assessment Center; it is much better than just a written test. Steve would always conduct an Assessment Center. PETER BERRY - Moved to recommend the article with condition that the BOS implement an Assessment Center. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

LAUREN ROSENZWEIG- Moved to recommend Article 32 and to recommend under each element of the CPC. ANDREW MAGEE – second. UNANIMOUS VOTE

Article 28 – Capital School Dept. Fire Aerial ladder and highway snow blower: Under each section be listed recommended. LAUREN ROSENZWEIG Moved – to Recommend. ANDREW MAGEE- second. UNANIMOUS VOTE.

### **BOARD OF REGISTRARS OF VOTERS APPOINTMENT, KATHERINE F. ARNOLD, TERM TO EXPIRE 6/30/11**

ANDREW MAGEE – Moved to appoint Ms. Arnold as Registrar of Voters. PETER BERRY – second. UNANIMOUS VOTE

### **ALEXAN UPDATE**

Peter noted that the ZBA opened the hearing and ZBA asked if it is legal to issue a 40B when there are no buildings or housing units proposed in Acton. Southborough was demanding units from Marlboro. They went to court and Marlboro did grant units to Southborough.

Peter said that the Board would like to see access through Concord. Peter felt that they could not safely build this project. They are proposing to improve the sight lines to allow traffic to go through at 25 miles per hour. Bruce Stamski wanted it to be increased to 40 miles per hour. Peter felt we needed to have some input into this development. Peter wanted to see all chiefs get together and resolve some issues: fire calls, ambulance calls, etc. The new plans show no sidewalk. Peter felt the sidewalks were critical to a project of this size. Mr. Howe of Concord BOS would like to meet with the Board. The Board discussed who should attend the meeting. Dore' spoke about the impact this project will have on our roads.

Lauren noted that TAC is still reviewing this. MAPC said it is critical to see if we can get money to have a shuttle which would reduce the overcrowding of our streets.

Andy noted he had received the information Peter sent, although he thought that in the Southborough issue it was denied and it was over-turned by the State Housing. Then the Town of Marlborough brought DHCD to court and they came to an agreement on the number of houses Southborough would receive from Marlborough.

Andy thought we could not arbitrarily down size a 40B. Peter asked if we should meet with Concord and express our reservations and ask for mitigation for us. Lauren and Peter will meet with Concord.

#### **BANNER POLICY REVIEW.**

Mr. Lock asked for a change in the banner policy to reflect the time away and they asked that the banner be hung. Dore' said it was an equitable change. DORE' HUNTER – Moved to approve the change in the policy to reflect return from a substantial time in a combat area. PETER BERRY- second. UNANIMOUS VOTE.

#### **SELECTMEN'S BUSINESS**

ALG - Dore' asked that he and Lauren be allowed to issue the compromise developed by Peter Ashton at ALG.

Andy would like to see us come to something that is agreeable to all. Andy was concerned about the debt and concern of NESWC, and monies back to free cash ending up in the schools budget as a non-reoccurring item. Andy said that the comment has been made that NESWC and Free Cash are the same animal, but Andy said, once we spend NESWC it is gone forever.

Andy noted that the most important thing in the budget is the parity issue and he will go to the floor for that.

Dore' asked for a consensus for Peter Ashton's compromise. He can't see us going into an override next year in this economic climate.

Lauren said we will need to look at our budgets next year at ALG. It was noted that FinCom is generating materials for next year.

Peter asked if we are still swapping the Free Cash for NESWC under Peter Ashton's Plan; Dore' felt not.

Peter asked about the Budget and the loaning of a million to the schools, and asked if we were still able to look at Free Cash and NESWC to lower the tax rate. Peter is in favor of not taxing "to the max." In times of recession he is in favor of keeping the money in the tax payers pocket as well as the government.

Dore' said that when we don't have any review outside of new growth; it is hard to get along with 2 ½ given the inflationary world we live in. The prudent thing to do is husband our resources and we need to adjust to live in a leaner government. This is a balance we need to work with.

Andy and Peter said that Lauren and Dore' should go to ALG with Peter Ashton's comprise.

## **OTHER BUSINESS**

Lauren spoke about the surveys that will be sent about the Comprehensive Plan. They will have a visioning meeting at the Parker Damon Building.

Lauren said the TIP will be out soon and Roland reviews and we will keep Bruce Freeman Rail Trail on the TIP

Lauren reported on the MAGIC Meeting.

Andy spoke about the meeting about sewers and financial issues in that regard - on Wednesday 12<sup>th</sup> at 7:00 pm at the COA Building

Peter said that they have finished the Cell Tower Bylaw and hopefully the final draft is what is in the bylaw.

Dore' reported his attendance at the Chinese function that was held at the school. They were very impressed and Dore' urged people to take advantage of the revised policy on Non-Alien Residents to serve on Boards and Committees.

Dore' spoke about the FETAG and the curb cut approval that was given.

Dore' noted the increase of e-mail from CAC members he is receiving from Concord and Lexington.

Paulina announced that a week from this coming Wednesday the Sidewalk Committee will be meeting in 204 to look at the first cut of sidewalks

## **TOWN MANAGER'S REPORT**

None

## **CONSENT**


ANDREW MAGEE – Move to accept the Consent Calendar with Extra item, Cable TV Committee appointment of Les Gerhardt. LAUREN ROSENZWEIG - second. UNANIMOUS VOTE

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**EXECUTIVE SESSION**

Andrew Magee – Moved to go into executive session to discuss litigation and to come out of the Executive Session only to close this meeting. All AYES.

  
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Christine Joyce, Recording Secty

  
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Clerk, Board of Selectmen  
Date 12 May 2008

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'**  
**MEETING AGENDA**

*Francis Faulkner Meeting Room*

*Town Hall*

March 3, 2008

7:00 PM

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

**1. 7:02 OPERATIONAL MINUTE**

The Town Manager will provide a brief report on topics of interest.

**2. 7:10 DONELAN'S SUPERMARKET AND GOULD'S PLAZA, RECOGNITION OF THEIR CONTINUING FUNDING OF THE FOURTH OF JULY FIREWORKS AT NARA PARK**

No Materials Enclosed

**3. 7:20 CHANGE OF LIQUOR MANAGER TO JENNIFER SHEA, QUAIL RIDGE COUNTRY CLUB, 354 GREAT ROAD**

Enclosed please find materials in the subject regard, for Board consideration.

**III. SELECTMEN'S BUSINESS**

**4. ALG/2008 TOWN WARRANT DISCUSSION**

Enclosed please find materials in the subject regard, for Board consideration.

**5. BOARD OF REGISTRARS OF VOTERS APPOINTMENT, KATHERINE F. ARNOLD, TERM TO EXPIRE JUNE 31, 2011**

Enclosed please find materials in the subject regard, for Board consideration.

**6. ALEXAN UPDATE**

Selectman Berry will update the Board in the subject regard

No Materials Enclosed.

**IV. CONSENT AGENDA**

**7. ACCEPT GIFT, BOARD OF HEALTH**

Enclosed please find a gift of \$2,500.00 from Emerson Hospital to help fund the 2008 Wellness University Program, for Board consideration.

**8. ACCEPT GIFT, CITIZENS' LIBRARY**

Enclosed please find a gift of \$250.00 from the Citizen's Library Auxiliary to be used to purchase a homework table, for Board consideration.

**9. ACCEPT GIFT, CITIZEN'S LIBRARY**

Enclosed please find a gift of \$946.00 from the Citizen's Library Auxiliary, to be used to fund Tot Time, for Board consideration.

**10. ACCEPT GIFT, CITIZENS' LIBRARY**

Enclosed please find a gift of \$60.00 from Corrine Orcutt for the purchase of a Decorative fireplace screen, for Board consideration.

**11. OBSOLETE MATERIALS DISPOSAL, WEST ACTON CITIZENS' LIBRARY**

Enclosed please find materials in the subject regard, for Board consideration.

**12. OBSOLETE MATERIALS DISPOSAL, ACTON MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard, for Board consideration.

**13. GARDEN CLUB PLANT SALE, REQUEST THE USE OF THE TOWN COMMON**

Enclosed please find materials in the subject regard, for Board consideration.

**14. IRON WORKS FARM REQUEST TO USE THE TOWN HALL PARKING LOT AND BOTTOM FLOOR, APRIL 21, 2008 FOR A TROLLEY TO AND FROM THE HOSMER HOUSE.**

Enclosed please find materials in the subject regard, for Board consideration.

**V. EXECUTIVE SESSION**

There will be a need for an Executive Session

No Materials Enclosed

**ADDITIONAL INFORMATION**

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

**MINUTES PENDING VOTES**

February 25, 2008

**PENDING COMMITTEE APPOINTMENTS**

Mike Fisher, TAC, *Les Gerhardt, Cable Advisory Committee, Antoinette Hersey, Associate Member, Conservation*

**FUTURE AGENDAS**

March 17      April 7, Town Meeting Begins April 28, 2008

**32. OBSOLETE MATERIALS DISPOSAL, WEST ACTON CITIZENS' LIBRARY**

Enclosed please find materials in the subject regard, for Board consideration.

**33. OBSOLETE MATERIALS DISPOSAL, ACTON MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard, for Board consideration.

**34. SEWER PRIVILEGE FEE AGREEMENT, FAULKNER MILL REALTY, LLC, 4 HIGH STREET**

Enclosed please find materials in the subject regard, for Board consideration.

**VI. EXECUTIVE SESSION**

**ADDITIONAL INFORMATION**

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

**MINUTES PENDING VOTES**

January 7, 2008, January 19, January 25, January 26, January 28, 2007, February 4, 2008

**PENDING COMMITTEE APPOINTMENTS**

Mike Fisher, TAC, Les Gerhardt, Cable Advisory Committee, Mr. teDuits, to fill the unexpired term of Charles Smith as Cemetery Commissioner

**FUTURE AGENDAS**

March 3 & 17      April 7, Town Meeting Begins