

Final

**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**  
**March 29, 2010**

**Acton Town Hall**  
**Francis Faulkner Hearing Room**  
**7:00 P.M.**

**RECEIVED**  
**JUN 22 2010**

**TOWN CLERK, ACTON**

**Executive Session, 6:30, Room 126**

Present: Paulina Knibbe, Peter Berry, Lauren Rosenzweig Absent, Terra Friedrichs and Mike Gowing Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised

Ms. Knibbe – Moved to open regular session meeting only to go into Executive Session to discuss land negotiations. Mr. Gowing - second. Roll Call Taken, All Ayes

Ms. Knibbe – Moved to go into Executive Session for the purpose of discussing Land Negotiations. Roll Call Taken, All Ayes and to adjourn into Regular Session at 7:00 p.m. in Room 204.

**CITIZENS' CONCERNS**

**CHAIRPERSON'S UPDATE**

Ms. Knibbe announced Election tomorrow and urged all to get out and vote.

**OPERATIONAL MINUTE**

Mr. Ledoux announced Governor has declared a State of Emergency due to flooding. Mr. Ledoux spoke about the Town of Boxboro Building inspector vacancy and that Boxboro would like to explore entering into an inter-municipal agreement for sharing Acton's Building Inspector with Boxborough. Mr. Ledoux will report back once the materials are prepared.

**PUBLIC HEARINGS & APPOINTMENTS**

**CABLE TELEVISION MEMORANDUM OF UNDERSTANDING**

Mr. Gowing outlined the Memorandum of Understanding and that the document spells every thing out. Once signed, the PEG payments will flow to the ACAT.

Ms. Friedrichs asked about the creation of content and whether the producer retains the ownership. She specifically asked whether using the facilities capital to produce the content gives the Town any ownership of the content, or whether it just gives the Town the right to broadcast Mr. Covert replied any organization can come in to produce content and they own the content.

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Ms. Knibbe asked about advertising and wondered if we would see any advertising. John Covert replied it would be the same as it is done on the Public Television Stations. Ms. Friedrichs – Moved to enter into the Memorandum of Understanding with ACAT. Mr. Gowing –second. UNANIMOUS VOTE

## **SELECTMEN'S BUSINESS**

### **ALG/BUDGET DISCUSSION**

Ms. Knibbe reviewed the last ALG and transfer of \$96,000 to the schools to close their budget hole, with the understanding that, it is not binding to the next ALG members and, would not be reoccurring.

### **2010 ANNUAL TOWN MEETING**

#### **ARTICLE POSITIONS, ARTICLE 2 AND 4**

Ms. Knibbe discussed the Nursing Enterprise Fund and recommendations. Mr. Gowing noted we are asking for \$50,000 transfer to Nursing Enterprise Fund to carry the Nursing Service through fiscal 2012. The problem we are having is to pull it or have a discussion on the floor of Town Meeting. Steve explained the money issues and will have the Finance Director serve as a comptroller and study this for a couple of months. Steve suggested we pull it off consent and address it on the floor. There will be policy decisions-- is there a public need, and is there a willingness to support this program from taxpayers? It was noted we are required under State law to provide a Public Health Nurse, but not at the current level that is provided currently.

Ms. Friedrichs spoke about her recent experience with health care in other communities and our lack of a free clinic. She suggested we look at pro-active health care. She asked about the referrals. All monies come from referrals. Merrily Evdokimoff, Nursing Supervisor noted that when they don't have referrals, they have cut the monies out of their budget.

Ms. Knibbe spoke about the need and agreed that 6 months is a good review period. She feels this article should be pulled off the Town Meeting Consent Agenda, as it deserves a full fledged discussion. Ms. Friedrichs - Move to remove Article 4 from Consent. Mr. Gowing - second – UNANIMOUS VOTE

Mr. Berry – Moved to appropriate \$50,000 for Nursing Service balance for remainder of FY10 and \$50,000 from Taxes and \$97,000 from the Nursing Enterprise Fund. Mr. Gowing – second. UNANIMOUS VOTE

Mr. Berry noted that in Article 2 some funds do not come from general revenues of the town but from the insurance payments

#### **DISCUSSION OF ARTICLE 22**

Ms. Knibbe discussed the funding for the COPS in school program to fund the third policeman. We said we had already included it in our budget. We could pass over Article 22 or accept funds from free cash.

Ms. Knibbe - Moved to pass over Article 22. Mr. Berry – second. 3-1 – Ms. Friedrichs – No, Motion passes

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## **BUDGET FUNDING SOURCES**

Final spread sheet will be sent to Fin Com and League to prepare the score cards.

**MUNICIPAL EMPLOYEE OF THE YEAR – Maura Haberman.** It was noted that she does a good job in bringing in funds to sustain the Recreation Department.

## **PUBLIC SAFETY EMPLOYEE OF THE YEAR**

Brent Carter has been involved with SAFE program.

Ms. Knibbe – Moved to ratify the employees chosen. Mr. Berry - second. UNANIMOUS VOTE

## **GREEN COMMUNITIES**

Ms. Knibbe spoke about the Green Communities. The State is encouraging Green Communities. If you are delegated a Green Community you can get grants from the State. There are 5 criteria needed to be designated. We have a plan for fuel efficient cars and have reduced energy expenses by 20%, so we are already meeting some of the criteria. The deadline is May 14<sup>th</sup> and those who meet the criteria will be eligible to receive Grants in the first round. We are very close to meeting the criteria.

Mr. Ledoux had been concerned about expedited permitting, but he was more comfortable since changes were made.

## **RECORD OF VOTE, PIPER LANE**

Mr. Ledoux explained the need for the vote to be formalized. Ms. Friedrichs – Moved to sign the Record of vote pertaining to Piper Lane. Mr. Gowing – second. UNANIMOUS VOTE

## **SELECTMEN'S REPORTS**

Mr. Berry reported MBTA agreed to Acton's alternative design, two platforms and two elevators and bridge to use the platforms. He thanked the State and the T for working so collaboratively on this project to make this a well designed project. Mr. Berry would like to continue to serve on the committee if the Selectmen chose to allow it.

Ms. Knibbe spoke about the Capital Funding FAQ's to be posted on the web site.

## **OTHER BUSINESS**

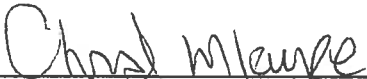
## **CONSENT**


Ms Friedrichs – Moved to accept the consent items. Mr. Gowing – second. UNANIMOUS VOTE.

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**EXECUTIVE SESSION**

The Board held Executive session at 6:30 p.m. through 7:00 p.m.

  
\_\_\_\_\_  
Christine Joyce, Recording Secty

  
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Clerk  
Date: 6/21/10

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'**  
**MEETING AGENDA**  
**EXECUTIVE SESSION, ROOM 126, 6:30 P.M. TO 7:00 P.M.**

*Francis Faulkner Hearing Room*  
*March 29, 2010*  
*7:00 PM*

**EXECUTIVE SESSION – 6:30 P.M. TO 7:00 P.M.**

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

**1. 7:05 CHAIRMAN'S UPDATE**

The Chair will briefly update the Board on Topics of interest

**2. 7:06 OPERATIONAL MINUTE**

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

**3. 7:15 CABLE TELEVISION MEMORANDUM OF UNDERSTANDING (MOU)**

**ISSUE:** Cable Television Agreement

**III. SELECTMEN'S BUSINESS**

**4. ALG/BUDGET DISCUSSION**

Enclosed please find materials in the subject regard

**5. 2010 TOWN MEETING WARRANT**

No Materials Enclosed

**5A. ARTICLE POSITIONS, ARTICLE 2 AND 4**

Enclosed please find materials in the subject regard

**5B DISCUSSION OF ARTICLE 22**

No materials

**5C BUDGET FUNDING SOURCES**

Enclosed please find materials in the subject regard

**6. EMPLOYEE OF THE YEAR / PUBLIC SAFETY EMPLOYEE OF THE YEAR**

Enclosed please find materials in the subject regard

**7. GREEN COMMUNITIES APPLICATION**

Enclosed please find materials in the subject regard

**8. RECORD OF VOTE, PIPER LANE**

Enclosed please find materials in the subject regard

**9. SELECTMEN'S REPORTS**

Capital Warrant Article Funding FAQ's

**10. OTHER BUSINESS**

**IV. CONSENT AGENDA**

**11. USE SPECIAL PERMIT #06/05/07-411, SECOND AMENDMENT 251-255 MAIN STREET, SUNDBERG II REALTY TRUST**

Enclosed please find materials in the subject regard

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

Enclosed please find materials in the subject regard.

**13. REQUEST TO AMEND THE LEVEL OF SPENDING, DOUGLAS AT DAWN REVOLVING ACCOUNT**

Enclosed please find materials in the subject regard

**14. ACCEPT GIFT, POLICE DEPARTMENT**

Enclosed please find a gift of \$250.00 from the Law offices of Graham and Harsip, to be used to fund the Child Safety Program

**15. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$500.00 from Animal Emergency Care, to be used to fund Acton Day

**16. ACCEPT GIFT, PUBLIC HEALTH NURSING SERVICE**

Enclosed please find a gift of \$500.00 from John Powers in his wife Elizabeth Powers memory, to be used by the Acton Public Health Nursing Service

**V. EXECUTIVE SESSION**

There will be a need for Executive Session, Real Estate Negotiations

## **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.

## **NO MEETINGS SCHEDULED – TOWN MEETING**

## **MINUTES PENDING VOTES**

Budget Saturday, January 25, February 1 - March 8 & 22

## **PENDING COMMITTEE APPOINTMENTS**

DAVID LUTZ – Working with VCC to determine what committee he would like to serve on  
RONALD ROSE – sent to VCC, HDC applicant

LINDA MAYER – ABCC to VCC to review (no opening at this time) Hold in Pending