

SELECTMEN'S MEETING
SEPTEMBER 27, 1994

T. Clark

The Board of Selectmen held its regular meeting on Tuesday, September 27, 1994 at 7:30 P.M. Present were Norman Lake, William Mullin, Nancy Tavernier, Wayne Friedrichs, Town Manager Johnson, and Assistant Town Manager John Murray.
{Representatives from cable were present}



CITIZENS' CONCERNS

None Expressed

PUBLIC HEARINGS AND APPOINTMENTS

SOUTH ACTON BRIDGE UPDATE

Chuck Kostro reported to the Board on his recent meetings with the Acton Historic District Commission. He felt that the meeting was productive and that the Commission raised only a minor issue that he felt can be worked through to the satisfaction of all parties.

The bridge will be faced with the granite on the upper portion and along the sidewalks. Brown fencing and concrete piers will be an option for the approach. The roadway will in fact drop in front of the "old post office" and the Jones Tavern instead of increase, which may help address some of the water issues. They will not be touching the stone arch bridge over Fort Pond Brook, the lighting, and the under bridge lighting issues will need to be resolved if the Town is willing to pay for and maintain. The guard rails will remain plus additional choice on the type to be used. The issue raised by the Water District regarding the possible increasing of the water main size was discussed. This will be a problem because there are no plans for any utility bays. It was thought that the Water District could work with the State and railroad for these betterments.

Mr. Kostro again reiterated the Commonwealth's policy to not appear before local boards. They contend that under State Law this is not required of the Mass Highway Dept. They file the project with the Mass Historical Commission which in turn solicits the Local Historic comment. However, the Mass Highway will not go forward with the project if they cannot get favorable support from Local Commissions.

They anticipate the schedule to go to the 25% point based on the public meeting on October 17th. The meeting will raise and address questions that still remain. The final two weeks in October will be at 75% and will take it to the Mass Historical where they have 30 days to review and respond. They hope to advertise the project for December 24th.

Mrs. Tavernier asked if any additional questions came up during his meeting with HDC. The said they were minor in nature, action relative to a tree was questioned. They will not be removing any trees in

conjunction with the project. There seemed to be some concern with the speed in which the project is progressing. He felt that it has to continue at this speed with the pressure on so it does not get removed and continue to hang up like it has for the past ten years. The project is good, he wants it to continue forward and urged that the pressure to move forward remain on. He feels the only approval and process the State needs is from the Mass Historic District. He asked for local support before moving toward Mass Historic District submittal.

Mr. Lake asked if the Town needed to apply to the Local HDC for any permits. Don said he thought not, but would review the issue with Counsel and report back.

Mr. Kostro asked to have a time and place determined for the October 17th public session. Don will set it up and get back to him.

NANCY TAVERNIER - Moved that unless the Board hears otherwise from Town Counsel on the Local permitting, the Mass Historic District holds final approval for design under State Projects. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

COMMITTEE INTERVIEW
PATRICK HALM - Associate Planning Board

Mr. Lake thanked Mr. Halm for his volunteering and reiterated the Town's reliance and importance of those volunteers who give their time and energies to the Town. Mr. Halm has volunteered in other communities where he has resided and would like the opportunity to volunteer. He has followed the Town Meetings and Planning Board meetings and feels Acton is a very professionally operated Town. He would like to give his time and expertise to Acton by serving on the Planning Board. NANCY TAVERNIER - Moved to appoint Patrick Halm as An Associate Member of the Planning Board for a one year term to expire June 30, 1994. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

WILLIAM MULLIN - Moved to accept the Consent Calendar as printed. NANCY TAVERNIER - Second. UNANIMOUS VOTE. Mrs. Tavernier to draft letters for Chairman's signature.

SELECTMEN'S BUSINESS

WEST ACTON DAY - Mr. Friedrichs spoke to the Board about the upcoming West Acton Day. He asked on behalf of the organizers that the fees for Food Service permits for the non-profits be waived by the Selectmen as well as the Entertainment License for the pony rides and other entertainment.

Mrs. Tavernier asked what staff time would be involved in the issuance of these permits. Don replied that there would be indirect costs associated with them.

Mr. Mullin asked why this group vs. any other group was having its fees waived, why are we waiving this groups and does it set a precedent? Mrs. Tavernier said that they are being waived because they are non-profit organizations.

WILLIAM MULLIN - Moved to waive the Food Permit fees as an endorsement by the Board of Selectmen with exuberant recognition and enthusiasm for Octoberfest. WAYNE FRIEDRICHS - Second. UNANIMOUS VOTE.

NANCY TAVERNIER - Moved to set the fee for the Entertainment Permit at \$50.00 and to waive said fee for Octoberfest upon compliance with all conditions required by staff. WAYNE FRIEDRICHS - Second. UNANIMOUS VOTE.

TRAIN WHISTLES - Mrs. Tavernier updated the Board on her conversation with the reporter from the Herald. She has also drafted a letter to the Governor thanking him for his courage in signing the bill into law.

TOWN MANAGER'S CONCERNS

Wagner Suit - Don updated the Board on this long-standing suit. The decision has come back giving us an overwhelming vote and upheld the order that the sign be removed. Staff is following up on the compliance.

FY96 BUDGET PROCESS - Don updated the Board on staff timelines. He hopes to have the pro-forma in the Boards hands by the required date.

Mr. Mullin spoke about the article in the paper about the FinCom's review of the school budget. He thought it was important that the citizens know that the funds available to use have been, and that Enterprise Funds are not available and unfortunately, this article gave a false mis-impression of extra funds being available and not being used. Mrs. Tavernier thought that perhaps Don could do a series of educational sessions to explain Enterprise and Revolving Funds in particular NESWC to provide an in-depth look at them and how they work and their complex structure and guidelines.

Mr. Lake is pleased to see the FinCom doing a financial analysis and welcomes inquiry into the Town and Local Regional School budgets. He feels we are better off having an well educated Finance Committee.

Mr. Aronson's letter was discussed and the Board's feeling on Don and the Chair talking to them at the proposed informal event. Norm felt the FinCom should be included. Bill felt it should happen and urged them to set a date. Nancy noted that the Local School Regional representative should be invited also.

The Board adjourned at 9:00 P.M.

Nancy E. Tavernier
Clerk
10/25/94
Date

Christine M. Joyce
Christine M. Joyce
Recording Secty.
cmjW11-(555)

SEPTEMBER 23, 1994

TO: Board of Selectmen
FROM: NORMAN D. LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

SEPTEMBER 27, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:30 SOUTH ACTON BRIDGE - Chuck Kostro will be in to update the Board on the continuing status/progress of the South Acton Railroad bridge replacement project.
2. 7:45 PATRICK HALM - COMMITTEE INTERVIEW - ASSOCIATE PLANNING BOARD MEMBER - Enclosed please find Mr. Halm's Citizen Resource Sheet and VCC Comment regarding his interest in serving as an Associate Member of the Planning Board for Board review and action.

III. SELECTMEN'S BUSINESS

3. WEST ACTON DAY - Selectman Friedrichs will discuss final details, including a request for permit fee waivers, with the Board.

IV. CONSENT AGENDA

4. MAPC APPOINTMENT - Enclosed please find information from Planning regarding the MAPC Representative nomination for Board action.
5. ACCEPT MINUTES - Enclosed please find copies of the August 16 and 30th Minutes for Board approval.
6. ACTON WOODS - Enclosed please find the Local Initiative Program Application from Commons Development for Board review and signature by the Chairman.
7. SOFT SECOND LOAN PROGRAM - Enclosed please find a letter of interest in the subject regard, drafted by the ACHC, for Board endorsement.

8. EXXON LICENSE REVISION - Enclosed please find an application for revision of the underground storage license at the Exxon Station, 289 Main Street. The Fire Chief's comments and recommendation cover this request.

V. TOWN MANAGER'S REPORT

9. WAGNER SUIT - The Town Manager will update the Board on the recent decision on this suit.

VI. EXECUTIVE SESSION

MEETINGS - Crown Resistance Day - Sept. 25
LWV Opening Mtg. - Sept. 26
Fire Dept. Open House - Oct. 15

ADDITIONAL INFORMATION

Enclosed please find additional correspondence which 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.

October 11 - Site Plan #8/25/94-346 Disinfection Facility
October 25
November 8 & 22

849 acs