

SELECTMEN'S MEETING
MAY 17, 1994

The Board of Selectmen held its regular meeting on Tuesday, May 17, 1994 at 8:00 P.M. Present were F. Dore' Hunter, William Mullin, Nancy Tavernier, Norman Lake, Wayne Friedrichs and Town Manager Johnson.

{Representatives from cable were present}



CITIZENS' CONCERNS

NONE EXPRESSED

PUBLIC HEARINGS AND APPOINTMENTS

BOSTON EDISON
STRAWBERRY HILL ROAD

WILLIAM MULLIN - MOVED to approve - Dore' Hunter - Second.
UNANIMOUS VOTE.

BOSTON EDISON
WOODCHESTER DRIVE

WILLIAM MULLIN - MOVED to approve - Dore' Hunter - Second.
UNANIMOUS VOTE.

BOSTON EDISON
HARRIS STREET

DORE' HUNTER - Moved to approve - WILLIAM MULLIN - Second.
UNANIMOUS VOTE.

SCUPPERJACK'S
LIQUOR VIOLATION HEARING

Jack Mendosa, owner and Manager of the ScupperJack's spoke to the Board about the incident and explained the background of the sale to the minor. He apologized for the infraction and outlined the steps he is taking to insure that it won't happen again. The Board asked that Mr. Mendosa submit his explanation of what happened and his remedial proposal in writing to them for his Liquor License file.

DORE' HUNTER - Moved to instruct the Town Manager to issue a letter to ScupperJack's expressing the Board's displeasure with what happened and warning that if it happened again, there would be a revocation or suspension of the license. NANCY TAVERNIER - SECOND. UNANIMOUS VOTE.

ACTON COMMUNITY HOUSING CORPORATION

Nancy Tavernier outlined the need to determine the role of the ACHC as they relate to financial issues. ACHC is in the process of finding out how they can become more effective and to carry out their charge of providing affordable housing in Acton.

Peter Berry spoke about the current corporate structure and problems associated with the Adams Street proposal, their future efforts and their accountability. It was decided to begin preliminary discussions to change the structure of the Corporation to make them fit better into Acton's town government. They suggested we fashion them much like Lexington has done under their LexHab program. Betty McManus said they will be meeting with Lexington to find out how it is working for them, but felt we should pursue the Home Rule Petition which would give them greater legitimacy. They would then be appointed by the Board of Selectmen and projects would be submitted to the Board of Selectmen for approval.

Conceptually, Dore' felt it was a good idea. Bill felt the Board should pursue a Home Rule Petition. Nancy wanted ACHC to continue while this was being pursued. They currently are reviewing Acorn Park and Newview and hopes the Planning Board will take their direction and ask that the Board of Selectmen accept monies derived from those negotiations. Bill commended them for their efforts and urged them to keep up the fight.

NANCY TAVERNIER - Moved to work with ACHC and Town Counsel to develop a Home Rule Petition as it exists in Lexington as LexHab to be ready for the next Town Meeting. WILLIAM MULLIN - UNANIMOUS VOTE.

ACTON CONVENIENCE STORE LIQUOR HEARING

Sam Hantzis, Owner and Manager of the store apologized to the Board and further stated that all of his employees are Tips trained but would be retraining them in June. He has installed video cameras and reviews the tapes to ensure that proper procedure is being followed. He and his wife operate the business and were very upset when they heard of the violation. They have instituted formal staff meetings to discuss and remind the employees of the importance of checking I.D's.

Dore' reiterated the problem of teenage drinking and cautioned that violations were taken very seriously in Acton. He also asked that parents become involved with this problem. He suggested language for the motion that would require the employee be terminated if he/she sold to underage customers as well as lifting or suspension of the license. Bill felt that the motions should not have reference to termination that he was sure that

the Manager would be letting the employee go if his license was revoked for cause. Dore' felt that it would be a control device to control the source of the violation, but withdrew the wording pertaining to termination.

The Board asked that Mr. Hantzis to submit his explanation of what happened and his remedial proposal in writing to them for his Liquor License file.

DORE' HUNTER - Moved to instruct the Town Manager to issue a letter Acton Convenience Store expressing the Board's displeasure with what happened and warning that if it happened again, there would be a revocation or suspension of the license. NANCY TAVERNIER - SECOND. UNANIMOUS VOTE.

CONSENT CALENDAR

NANCY TAVERNIER - Moved to accept the Consent Calendar as printed with #15 and #16 held for discussion. -WILLIAM MULLIN - Second. UNANIMOUS VOTE.

#15 Bill questioned the gift of the fountain for the Goward Field Tot Lot. He wanted to be sure that no ethical situations could/would occur with regard to gifts. Don assured him that we are gifted many items such as the wall in front of the library, the transfer station shed, police items and no special service or advantages are rendered with regard to acceptance.

Item 16 - Dore' thought that a bylaw should be looked at to regulate this type of activity or other activities on Town controlled property in the future. The Board after discussing decided that at this time it would not be necessary. The Board asked the Town Manager to send the applicant a letter outlining the rules associated with the permission.

SELECTMEN'S BUSINESS

OVERRIDE DISCUSSION - Bill articulated his disappointment with the failure of the override. He thanked those who had given the question serious thought for their effort. He also commented on recent letters to the editor that made fun of parents wanting a good education for their children, he also commented on the signs that were posted around town on public shade trees and Edison poles, and in particular the spelling/grammar errors and misinformation contained on them.

Dore' felt that this override was a two step process. Presentation had been made to Town Meeting, and approved, then the question was put on the Ballot for approval. He had assumed that a public education process would have been prepared to update those that had not attended Town Meeting. He felt that the case must be made to citizens at Town Meeting and by public

education to help all voters to understand the issues to show them why they should vote to raise their taxes. Nancy agreed, she too had expected a townwide mailing. She felt that it was not an anti-education vote. She feels it is a local economic concern, she felt people just can't afford to pay the extra money. She was urged people to write the legislators to reallocate money for education.

Issues of Growth Project - Nancy discussed the recent meeting and said that growth was a main concern of Boards. They are looking for endorsement by the four major boards in hopes to bring several hundred people together and hold a town-wide conference.

Bill asked how this related to the Master Plan. Nancy said it was more a subjective exercise and not just zoning, it is not intended to be a land use discussion. Dore' felt it would enhance the non-zoning sections of the Master Plan but it must be viewed as an extension to the current Master Plan.

BILL MULLIN - Moved to as a Board given the Acton issues of Growth results be shared and treated as a potential update and extension to the in place Master Plan.

WATER COMMISSIONER'S - DORE' HUNTER - Moved to instruct the Town Manager to set-up a Meeting with the Commissioners to meet independent of this Board on a date except June 7th, at the Water District offices. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Early Retirement Incentive Issue - The issue is still outstanding and Isa has indicated that Mac Reid is doing analysis. They want their accounting people to look at it when it is complete. Don will update the Board as issues arise and become clarified. Isa as asked for a Special Meeting. Nancy asked if the School Committee had signed an agreement absorbing total liability either directly or indirectly with regard to this issue. The Board noted that they would be inclined to support if signature was in place. Bill urged the school to submit information to help them in making their decision.

TOWN MANAGER'S CONCERNS

Site Plan Amendment - Massachusetts Ave. Finast Plaza - Don spoke to the proposed site plan amendment. He felt it could be treated as a minor site plan amendment and urged the Board's approval. The improvements proposed would make the site much safer and more attractive and has been reviewed with the Building Commissioner..

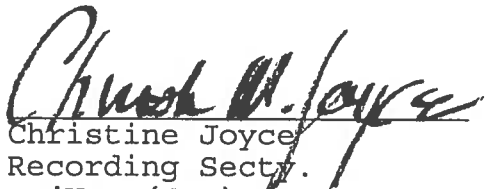
DORE' HUNTER - Moved to approve as presented, further to authorize the Chair to sign on behalf of the board when changes were incorporated. BILL MULLIN - Second. UNANIMOUS VOTE.


EXECUTIVE SESSION

The Board voted to go into Executive Session for the purpose of discussing Collective Bargaining issues.

Roll Call was taken all ayes.

The Board adjourned at 10:00 P.M.


Christine Joyce
Recording Secty.
cmjW11- (514)


Clerk
Date 6/21/94

MAY 13, 1994

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

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AGENDA

ROOM 204

MAY 17, 1994

Note: Meeting will begin at 8:00 P.M.

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 8:01 BOSTON EDISON - STRAWBERRY HILL ROAD - Enclosed please find notice and staff comment regarding this Petition for Board Action.
2. 8:02 BOSTON EDISON - WOODCHESTER DRIVE - Enclosed please find notice and staff comment regarding this Petition for Board Action.
3. 8:03 BOSTON EDISON - HARRIS STREET - Enclosed please find notice and staff comment regarding this Petition for Board Action.
4. 8:15 SUPPERJACK'S - Liquor license violation review
5. 8:30 ACTON COMMUNITY HOUSING CORPORATION - Enclosed please find materials for Board review and discussion.
6. 9:00 ACTON CONVENIENCE STORE - Liquor license violation review. Please see report information from Item 4.

III. SELECTMEN'S BUSINESS

7. Issues of Growth Project - Enclosed please find the summary and proposal for Board discussion.
8. Water Commissioners Communication from the Water District - Enclosed please find correspondence.

IV. CONSENT AGENDA

9. ACCEPT MINUTES - Enclosed please find minutes for the March 29 and April 19, 1994 for Board acceptance.

10. AMENDMENT TO SITE PLAN SPECIAL PERMIT #6/13/94-131 - Enclosed please find a request for amendment and staff comment regarding changes to David's Bistro, 452 Great Road for Board action.
11. SITE PLAN SPECIAL PERMIT #3/11/94-344 - ROY SMITH, Day Care Facility 5-7 Post Office Sq. - Enclosed please find the draft decision for Board action.
12. ACCEPT GIFT - Enclosed please find a request to accept the two gifts of money to be used by the West Acton Citizens Library for Board action.
13. ACCEPT GIFT - Enclosed please find a request from Conservation Administrator for acceptance of trees to be planted at the Arboretum for Board action.
14. ACCEPT GIFT - Enclosed please find a request from Municipal Properties Director for acceptance of anonymously donated trees to be planted on Town property for Board action.
15. ACCEPT GIFT - Enclosed please find a request from Municipal Properties Director for acceptance of a water fountain for Goward Field for Board action.
16. COMMUTER LOT - Enclosed please find a request and staff comment regarding the proposed coffee service at the Commuter Lot for Board action.
17. Snow & Ice Deficit - Enclosed is our notification from DOR of additional stabilization Aid to be applied toward our FY1994 Snow and Ice deficit, per Town meeting plan.

V. TOWN MANAGER'S REPORT

18. Site Plan Amendment Mass Ave. - Enclosed please find staff recommendations for Board consideration.

VI. EXECUTIVE SESSION

MEETINGS

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.

June 7 - (Tentative Appointments)
 Crossroads, Liquor Policy review
 Site Plan - Savory Lane- 251 Arlington St.
June 21 -

837 acs