

April 20, 2001

TO: Board of Selectmen

FROM: F. Dore' Hunter, Chairman

SUBJECT: Selectmen's Report

**April 24, 2001  
in Room 204**

## **I. CITIZEN'S CONCERNS**

## **II. PUBLIC HEARINGS & APPOINTMENTS**

1.     **7:40 COMMITTEE APPOINTMENT – JAMES ELDRIDGE** – Enclosed please find Mr. Eldridge's volunteer application and VCC recommendation for appointment as an Associate Member of the Planning Board for a term to expire 6/30/02.
2.     **7:45 SITE PLAN SPECIAL PERMIT #02/23/01-375 – 182 Great Road** – Enclosed please find materials and Staff comment. The applicant has asked for continuance on this Site Plan. Please find Staff recommendation.

## **III. SELECTMEN'S BUSINESS**

### **3. BOARD REORGANIZATION**

4.     **JENKS FUND REVIEW** – A member will need to be assigned to review the 2001 requests.
5.     **PLANNING BOARD FILING FEE** – Enclosed please find a request from Attorney Edes requesting a reduction of a Planning Board's filing fee. Staff comment has been attached.
6.     **PLANNING BOARD REQUEST FOR ELEVATION OF ASSOCIATE MEMBER** – Enclosed please find a memo from Planning requesting that Associate Member Grey Niemyski be appointed as a full member to fill the unexpired term of Walter Foster. This term will expire 6/30/2005.
7.     **TOWNE BUILDING** – The Chairman will discuss his thoughts to invite the HDC and the HD to provide the Board advice on the configuration of the Towne Building when abandoned by the Schools. He will also discuss what land area should be sought from the Schools to make reuse of that building viable.
8.     **RECREATION FEE WAIVER REQUESTS**- Enclosed please find a request and recommendation from the Recreation Director for Board review. **(Confidential)**
9.     **RECREATION FEE WAIVER REQUEST**– Enclosed please find two requests for reduced fees as well as the recommendation of the Recreation Director for Board review. **(Confidential)**

**10. OTHER BUSINESS**

**IV CONSENT AGENDA**

- 11. ACCEPT MINUTES** – Enclosed please find the minutes of February 27, and March 20, 2001 for approval.
- 12. COMMITTEE APPOINTMENT** – Enclosed please find VCC's recommendation to appoint Mr. Robert Whittlesey as a member of the Acton Community Housing Corp. with a term to expire June 30, 2004.
- 13. ACTON LIONS CLUB** – Enclosed please find the annual request from the Lions Club for the fair to be held on June 27-July 1 this year for Board action.
- 14. ACCEPT GIFT** – Enclosed please find three requests from the Citizens Library for acceptance of Tot Time contributions and "In memory of Phyllis Span" for Board action.
- 15. ACCEPT GIFT** – Enclosed please find a request for acceptance of two portable defibrillators for use in the police cruisers from the Acton Lions Club for Board action.
- 16. ACCEPT GIFT** – Mr. John Feely and Ms. Doris Ricci have sent a check for \$100.00 in appreciation of the work the Emergency Management staff does for the community for acceptance by the Board.
- 17. ACCEPT GIFT** – Ms. Barbara Morse has sent a check for \$50.00 in appreciation of the work the Emergency Management staff for acceptance by the Board.
- 18. ACCEPT GIFT** — Enclosed please find a request from Acton Garden Club the Board to accept \$40.00 from proceeds of their Cook Book Sale for acceptance by the Board.
- 19. ONE DAY LIQUOR LICENSE** – Enclosed please find a request from LeLyonnais Restaurant to be open Mother's Day for Board approval.
- 20. DECLARATION AS SURPLUS** – Enclosed please find a request for disposal of a Xerox machine model 5303 from the Citizen's Library for action.

**V. TOWN MANAGER'S REPORT**

**V1 EXECUTIVE SESSION**

**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.

**GOALS 2000-2001**

1. To obtain facilities plan and bring to Fall Town Meeting. (Dore')
2. Determine future of Vallencourt House - 17 Woodbury Lane. (Herman)
3. Revisit the 2020 process and review make-up and consider expand or reduce the membership. (Peter)
4. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter)
5. Review Board of Health duties to expand its role so it becomes a more visible department. (Pam)
6. Formulate charge and suggested membership list for a "Long Range Planning Committee" (Ashton):

**FY 2000 GOALS carried forward**

7. Develop a comprehensive Beaver Nuisance policy (Pam)
8. Work with the Planning Board to implement the goals, objectives and strategies of the Master Plan update (Peter/Trey)

*revised 9/26/00*

**SELECTMEN'S MINUTES  
APRIL 24, 2001**

Present: F. Dore' Hunter, Peter Ashton, Trey Shupert, Walter Foster, Pamela Harting-Barrat, Town Manager and Assistant were present. The Meeting was televised.

**CITIZEN'S CONCERNS**

Gena Manalan spoke about the failed Zoning Articles with regard to Kelley's Corner. She urged the Planning Board to address other critical issues that need attention. She suggested we look at a noise and light bylaw. She used Lexington as an example. She asked that they do not pursue more zoning until 3 years after the sewer project is completed. She presented the Board with a petition from the citizens in this regard. Staff was asked to forward this petition to the Planning Board.

John Prendiville – Spoke about the draft minutes of the Board of Selectmen 3/20/01 and his concern that he and Sid Johnston were not represented properly.

Dore' explained his position with regard to adding items to minutes and said they would discuss this request later in the meeting.

**PUBLIC HEARINGS & APPOINTMENTS**

**Committee Appointment – James Eldridge as Associate Member of the Planning Board.** PAM HARTING-BARRAT – Moved to appoint Mr. Eldridge as an Associate Member of the Planning Board with a term to expire 6/30/02. TREY SHUPERT – Second. UNANIMOUS VOTE.

**Site Plan Special Permit – 02/23/01-375 – DORE' HUNTER –** Moved to continue the site plan until May 8 at 7:35 P.M. TREY SHUPERT – Second. UNANIMOUS VOTE.

**Superior Trading Corporation – 790 Main Street –** Garry Rhodes explained the process that he used with regard to following up on a complaint received about car storage at Great Road. He asked that the license be approved with conditions in his memo.

Mr. Wagner spoke about the use of the property and his concern for the choices for his property and he did not want the license to change at all. The Board explained that they were only formalizing conditions already tied to the license.

DORE' HUNTER- Moved to recommend the license as noted with the conditions as drafted by the Building Commissioner. TREY SHUPERT - Second. Walter Foster Abstain. 4 AYES, One Abstention. Motion passes.

**SELECTMEN'S BUSINESS**

**BOARD REORGANIZATION – DORE' HUNTER -** Moved to nominate Peter Ashton as Chairman. Trey Shupert – Second. . UNANIMOUS VOTE.

PETER ASHTON -Moved to appoint Trey Shupert as Vice-Chairman. PAM HARTING-BARRAT – Second. UNANIMOUS VOTE

PETER ASHTON – Moved to appoint Pam Harting-Barrat as Clerk. TREY SHUPERT. Second. UNANIMOUS VOTE

**PUBLIC SAFETY FACILITIES-** Dore' read his proposed Motion and asked for a Second. TREY SHUPERT Seconded for discussion.

Dore' urged anyone who wanted to participate in the process to let him know. They welcome the help. Peter agreed and urged anyone interested to come forward. It will be open and held under the rules of the Open Meeting Law and encouraged those who want to come and listen to come to the meetings. Walter noted the e-mails of people interested in participating and urged an outreach to those interested.

Pam noted her concern that it be an open process and have as many people involved as possible.

Trey noted that the first sewer meeting had over 40 people attend and split up into taskforces. Some of the taskforces would only take a couple of weeks and then disbanded and others remained.

Dore' wanted to set up a task force for the building contract.

Charles Kadlec – Spoke about the suggestions formed by citizens he has been speaking with. He felt it should be an independent committee. He urged them not to set up a committee as outlined in the Motion.

Dore' replied to Charlie's comments and assured that he had been thinking very hard in the past couple of days about how to handle this.

Anne Kadlec asked that it the motion be defeated. She said the committee should develop the taskforces and not to limit the Steering Committee.

Peter responded that we want to develop volunteers.

John Prendiville noted that a steering committee made up of at least half by citizens would be desired. He felt we needed an effective organizational modle.

Anne Chang –Urged that Frank, Bob and Dean be part of the process and have input to decisions. She felt we need to design a building with their comments in mind and have it function as a Police Department.

Al Duskocil – He noted that we needed an affective outreach program and equal votes and he felt we should have at large representatives of Citizens on the steering committee.

Paul Hoff – Police Task force – Need to let people know we are starting fresh. Fire Station Task Force should be the same "fresh start".

Dore' noted that some of the materials could be re-used like the Topo to see where the rocks are.

Paul said in no way was he asking them to not to reuse some of the materials.

Lois Dorskocil – She noted that we need to look at other architects and she has been visiting fire stations and did not want to see the same firm used.

Pam felt we needed a third group to look at this and to support the public safety's needs. She felt we needed to have separate new blood, that is a fresh start. She wanted the Chief's involved and we need to throw a large net to get more people such as the school community involved.

Dore' asked if Charlie wanted to be a member. He did and Dore' adjusted his motion supported by the seconder to reflect the need for an additional 2 people and others as needed to be appointed by the Board of Selectmen.

John Prendiville – Noted that he agreed with Pam Harting-Barrat's opinion for the new Steering committee.

Chris Ellicks – Asked that two union officials be added to the Motion. He also asked how they were to address NFPA Standard 1710.

Dore' and Don noted the union officials are welcome to continue to attend all meetings.

Al Dorskocil – He believes in the Acton citizen's intelligence. And that they can support it if it is presented properly.

An unnamed citizen stated the Proposal at Town Meeting lost credibility and it needed to be regained and then we would be building something useful.

DORE' HUNTER - MOVED that the Board of Selectmen continue the Public Safety Facilities Building Committee (PSFBC), as an advisory body to the Board of Selectmen, charged with the mission of bringing forward plans which may go to Town Meeting for approval of

- 1) Construction of a new and renovated, or all new, Police Station on the present site; and
- 2) Construction of a new Fire Station on the Route 27 site near the Route 2A intersection; and
- 3) Any necessary renovations in the existing Fire Stations; and
- 4) An appropriate position to be taken by the Town in regard to whatever may be the purported de facto mandates contained in National Fire Protection Association Standard 1710, as it may finally be approved.

In this regard, as part of my Motion, I ask that the Board designate Trey Shupert and myself as CoChairs of the PSFBC, that the PSFBC continue to be further composed of original members Jack Reetz from the FinCom; Director of Municipal Properties and the Prospective Project Manager Dean Charter; Police Chief Widmayer; Fire Chief Craig;

Assistant Town Manager Murray, the Town Manager ex officio; the architect ex officio, Charles Kadlec, the Chairs of any Task Force not otherwise designated, and two other citizens, with others appointed as needed. That the PSFBC as it goes forward function as the steering committee for the several Task Forces reporting to it and accept any willing citizens to be members of the Task Forces, that initially the following Task Forces be organized, tasked and led as follows:

Police Station Task Force - Tasked with a fresh start on the plans for a proposed new Police Station, including Combined Dispatch and Fire Administration offices, at the 365371 Main Street site, including reuse of the 1965 police building if such would be cost and function effective, to be Co-Chaired by Chief Widmayer and Dean Charter; and

2A/27 Fire Station Task Force - Tasked with a fresh start on the plans for an additional Fire Station on the Town owned land along Route 27, near the Route 2A intersection, at about 665-659 Main Street, to be Co-Chaired by Chief Craig and Dean Charter; and

Existing Fire Station Renovations Task Force - Tasked with determining what needs to be done in the nature of capital repairs or renovations to the three existing Fire/Ambulance Stations in South, Center and West Acton, to be Chaired by Chief Craig; and

Fire Department Response Task Force - Tasked with the development of reliable predicted fire and medical emergency response time data using the FLAME software program, or other appropriate means, to validate the need to erect a 4th Fire Station and also a study of the effect of various potential staffing and equipment configurations in four Fire Stations, and further to formulate a policy statement for potential adoption by Town Meeting concerning the applicability and/or non-applicability of portions of the proposed NFPA Standard 1710, as such may be finally adopted, to Acton, to be CoChaired by Jack Reetz, who has already begun work with the FLAME program, assuming he is willing, and a senior Fire Fighter to be appointed by the Town Manager.

Communications Task Force - Tasked to provide publicity and outreach to keep the citizens informed concerning the nature of the evolving proposals, and the final product. The existing AWAC (ex-SAC) Communications Task Force (Nancy Tavernier, Ann Chang, and Art Gagne) has volunteered en toto to also function as the PSFBC Communications Task Force, and their services to be gratefully accepted.

The PSFBC may establish additional Task Forces as it may deem appropriate.

The PSFBC is to report regularly to the Board of Selectmen, and to strive to make a final report, including Draft Warrant Articles, to the Board of Selectmen on or before December 11, 2001.

TREY SHUPERT – Second. 4-0; Pam abstaining. Motion Passes

## **TOWNE BUILDING**

Dore' outlined his meetings with regard to the issues surrounding the Towne building. He felt we needed to market the building to all those interested parties to find someone

to reuse the building and to keep the historical qualities to keep it alive and functioning. It was discussed that our Zoning requires parking spaces.

Peter felt that affordable housing and/or elderly would be a great reuse.

Dore' has already asked the Town Manager to prepare a RFP.

Peter asked that we get a letter from the school to list what they need and what are their intentions and constraints.

### **COMMITTEE ASSIGNMENTS**

The Board discussed the list and inserted Walter for Herman and asked that the Advisory committees be added to the list. HDC Study Committee etc. and further that a short note be sent by the Chairman's after each meeting by email to interested parties with a brief overview of actions so that the all would be updated before minutes are prepared by boards and committees.

**GOALS & OBJECTIVES** Peter will review and report back. Dore' said we could remove the Vallencourt house from the list. Peter will take the first stab at revising the list.

A Nadine Road resident suggested we have an E-Mail site and a sort of bulletin board to post peoples views about what is needed as well as other concerns. He urged a solution to Kelley's Corner be developed. He further asked that noise and light pollution be examined.

### **OPEN SPACE**

This is a replacement for the 61A Advisory Committee on Open Space  
TREY SHUPERT – Moved to create the Open Space and Recreation Committee.  
WALTER FOSTER – Second . UNANIMOUS VOTE. It was noted to include Laura Sikalis and Hart Millet.

**ACTON CONSERVATION TRUST** – They reviewed the Golf course principals materials forwarded by Planning. They are recommending that the Selectmen condition land swap on it being a course that is practicing Environmental Principals for Golf courses in the United States. Peter will respond in writing.

**JENKS FUND REVIEW** – Trey to handle

### **PLANNING BOARD FILING FEE**

Staff does not see a justification for the waiver as they have done considerable review of this project to date. – DORE' HUNTER – Moved to deny the waiver. TREY SHUPERT - second. UNANIMOUS VOTE.

### **PLANNING BOARD MEMBER ELEVATION FROM ASSOC. TO FULL MEMBER – GREG NIEMYSKI**

TREY SHUPERT – Moved to appoint Greg Niemyski as a full member to fill Walter Foster's vacancy. DORE' HUNTER - Second. UNANIMOUS VOTE



## Other Business

Dore' asked that a letter of appreciation be sent to Chief Nally of Wilmington. Dore' said we might want to have him come and discuss with the taskforce. Dore' wanted to draft the letter and sign it as Chairman, the board approved.

## CONSENT AGENDA

DORE' HUNTER – MOVED to approve with the exceptions noted with regard to Taxes owed and minutes amendment. WALTER FOSTER- Second. UNANIMOUS VOTE.

Minutes of March 20<sup>th</sup> – Trey said that he is fine with John's comments being entered into public record. It was agreed that we append the memorandum to the minutes  
TREY SHUPERT - Moved to approve March 20<sup>th</sup> with appended memo PAM HARTING-BARRAT. Second. UNANIMOUS VOTE

Mr. Chinitz a member of the Finance Committee noted that he was not happy with the way this communication from the Finance Committee was handled.

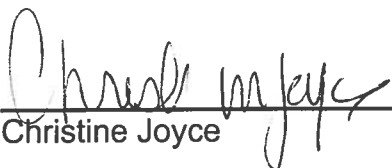
Taxes Owed. TREY SHUPERT – Moved to approve this with strong warning in the future tax payments will hold up approvals. DORE' HUNTER - Second. UNANIMOUS VOTE. Peter asked that a letter be sent with the BOS concerns that next time we face this situation you will not get the permit.

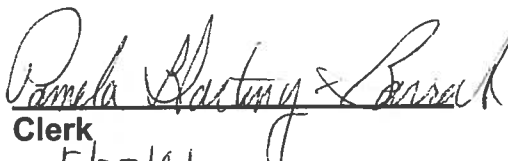
## TOWN MANAGER'S REPORT

Don reported on Haartz request to hook in to the sewer. Staff will be meeting with them tomorrow and asked for the Board's suggestion. Dore' said if there is capacity in the system staff can handle this if practical.

## EXECUTIVE SESSION

TREY SHUPERT - Moved to go into executive session to discuss litigation strategy only to adjourn into the regular session to adjourn. PAM HARTING-BARRAT – Second. – Roll call taken all Ayes.

  
\_\_\_\_\_  
Christine Joyce

  
\_\_\_\_\_  
Clerk  
5/22/01  
\_\_\_\_\_  
Date