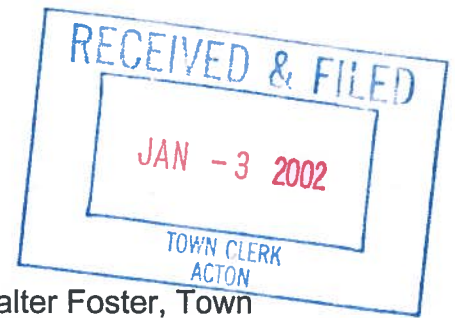


**Selectmen's Minutes**  
**November 6, 2001**  
7:00 P.M.



Present: Peter Ashton, Trey Shupert, Pam Harting-Barrat, Walter Foster, Town Manager and Assistant Town Manager. Meeting was televised.

**CITIZEN'S CONCERNS**

None

**PUBLIC HEARINGS & APPOINTMENTS**

**ROUTE 2 CAC DISCUSSION-** Dore' outlined the need to get a letter in soon so they would have it for their review. They have given us a list of alternatives with an interchange or no build included. They have asked for items from each town. The plan centers around what Dore' thinks of it as a D interchange. Concord is happy with that. We and the business community want to have a smooth flow. Dore' outlined several alternatives including an interchange at Hosmer. He also wanted to look at the "New Alternative" with a grade separation at Hosmer. Dore' noted that there is no gold plated alternative. He felt if we gave the 3 choices for them to consider. There is no solution to get the traffic back onto Route 2.

Walter agreed with Dore's first choice, he felt the new alternative did not make him happy and could not see deadending 111.

Pam asked about the prison. Dore' felt if they go with the D exchange they make out pretty good.

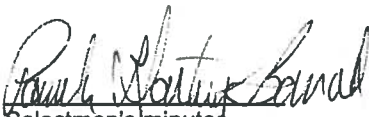
Wayne Friedrichs felt this is the first step in getting this on TIP. He outlined the work that they have done in the past years to get to this point. He said the crossing at Hosmer is needed. He noted we really needed to have a plan that reviewed all the way to 128.

Pat Halm said they reviewed the alternatives and felt we needed to reduce the traffic on the roads. The congestion is building. The Planning Board supports the entire traffic issues and solutions.

Dore' wanted to wait until the TAC had their comments in. Ed Gardner felt that the comments that went from Concord and Acton were real positive. He said they asked if there might be opportunities for cross traffic in Acton.

On an unrelated subject, Wayne informed the Board that Rheta Rober has been elected to Chairperson of EDC.

**TAX CLASSIFICATION HEARING** - Don Rhude gave an overview of the different types of classification and impacts on the rate. Trey asked if other communities used the Small Business Exemption. They responded none that they know of, possibly one. Peter asked about the residential and CPI going up 14 and 16%. Trey spoke about the

  
Selectmen's Minutes  
November 6, 2001

Small Commercial Exemption and what communities used it. They contacted 3 others and they were not really happy with it.

Wayne Friedrichs – On behalf of EDC they encourage that we move back to uniform rate. They feel it is not fair to business community.

Charlie Kadlec – Urged that the rate be uniform.

David Didriksen – He spoke about small businesses and a fairness issue.

John Prendiville – Spoke about two issues. He felt that large businesses didn't care about a split rate, but it did effect small businesses. He spoke about the report that he and Jack Reetz prepared. He asked that we vote a common tax rate.

Bill Lawrence – Spoke in favor of returning to a uniform rate.

Chris Litterio – President of the Chamber – 350 members vast majority of those in Acton. They are in favor of the uniform tax. The economy is a huge issue, layoffs and things of that nature. They are asking for basic fairness and moving it back to level ground with the residents.

Mickey Williams asked about the effect of police and other services. Bill said they consume .12 cents Police, Fire. Peter said we should ask the Planning Board for their formula.

TREY SHUPERT – Moved to continue the tax class hearing to November 20<sup>th</sup> at 8:00 p.m. WALTER FOSTER- Second. UNANIMOUS VOTE.

**COMMITTEE INTERVIEW – SUSAN MILLER, BOARD OF ASSESSORS-** She wanted to help and since she is trained and had served on the Board of Assessors she felt that she should volunteer. She also is very interested in helping the elderly so they don't have to move. DORE' HUNTER – Move to appoint Susan Miller as alternate member of the Board of Assessors with a term to end 6/30/04– PAM HARTING-BARRAT - Second. UNANIMOUS VOTE

## **SELECTMEN'S BUSINESS**

**BOARD OF SELECTMEN'S MEETING SCHEDULE-** Moving to Monday night meetings and doing this at the beginning of the year. Peter felt we might need an in between meeting during the first week in January due to the length of the time from our December meeting to the first scheduled January meeting.

Trey would prefer Mondays but understood we might have to have extra meetings to work around Monday holidays.

Dore' felt it could be worked out.

Walter did not have problem.

Keep the 2<sup>nd</sup> of January open for an extra meeting.

**SEWER DISCUSSION – DRY HOOK-UPS AND TIMING -** Peter felt we needed to address this issue as soon as possible. They need to have a start date and asked the Town Manager to update the Board on DEP issues. Don reported that the Maynard tie

in would not work at this present time, as they have not approached maximum capacity. Walter felt we need to allow the dry hook-ups and could not support the camera purchase unless we had other ways to use it. Trey felt we should allow them to dry hook-up. Dore' felt a letter needed to be drafted by the Town Manager outlining the rules and consequences and expectations if we sense a problem.

DORE' HUNTER - Moved we ask the Town Manager to draft a dry hookup and contractual agreement to include inspections and significant penalty for putting waste in to the system without permission. TREY SHUPERT – Second. UNANIMOUS VOTE.

Start Up Date – Peter wanted to have the plant up a running sooner than later. Don Johnson was asked his recommendation. Don said the down side is starting early costs \$38,000 per month for O&M. Peter felt we needed a firm start date to get the big users on line. Dore' felt we needed to get answers for DEP. Don said he would not go sooner than December 15<sup>th</sup>.

Trey felt that he would be more comfortable with Jan 1<sup>st</sup>. Peter agreed. DORE' HUNTER – Move we advertise that the plant will be coming on line Jan 1<sup>st</sup>. PAM HARTING-BARRAT. UNANIMOUS VOTE.

**MBTA PROGRAM FOR MASS TRANSPORTATION** – They discussed the draft letter and made additional informal suggestions. Walter asked that Roland and David Abbt include the bike lockers and shelter. TREY SHUPERT - Moved to authorize Selectman Hunter to move forward with the letter and sign the letter. PAM HARTING-BARRAT – UNANIMOUS VOTE.

## **OTHER BUSINESS**

Towne Building progress – Peter said they are looking at Jero Nesson who runs such a space in Maynard. We are in the process of contacting Mr. Nesson to get his ideas.

**ALG** – Peter gave an update on the Budgets and has asked staff to come in with a budget with no increase over Proposition 2 ½ levy limits.

## **CONSENT AGENDA**

DORE' HUNTER - Moved to approve. PAM HARTING–BARRAT. Second. UNANIMOUS VOTE. Pulled Lelaynois - DORE' HUNTER – Moved to grant the One Day Liquor License to Gerard LaBrosse if their taxes are up to date. PAM HARTING-BARRAT Second. UNANIMOUS VOTE.

## **TOWN MANAGER'S REPORT**

Don discussed the invitation to Norm Cohen's party in Lexington.

JACO - Don reported we have a preliminary finding of 96 out of 100 for the Nursing Re-certification.

November 2, 2001

**TO:** Board of Selectmen

**FROM:** Peter Ashton, Chairman

**SUBJECT:** Selectmen's Report

## **November 6, 2001**

**PLEASE NOTE THAT THE MEETING BEGINS AT 7:00 P.M.**

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

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

1. **7:05 TOWN CLERK INTERVIEW** – Ms. Sally Bond.
2. **7:30 ROUTE 2 CAC DISCUSSION**
3. **8:00 TAX CLASSIFICATION HEARING**
4. **8:30 COMMITTEE INTERVIEW** –Enclosed please find Ms. Susan Miller's Resource Sheet and VCC recommendation to appoint Ms. Miller as an Alternate member to the Board of Assessors, term to end 6/30/2004.

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

5. **BOARD OF SELECTMEN MEETING SCHEDULE** – The Chairman wishes to discuss options for rescheduling selectmen's meeting night to Mondays.
6. **SEWER DISCUSSION – DRY HOOK-UPS AND TIMING**
7. **MBTA PROGRAM FOR MASS TRANSPORTATION**
8. **OTHER BUSINESS**

### **IV. CONSENT AGENDA**

9. **COMMITTEE APPOINTMENT** – Enclosed please find Mary Utt's Citizen Resource Sheet and VCC's recommendation to appoint her to the Transportation Advisory Committee as an Associate Member for a one year term to end June 30, 2002.
10. **ONE DAY LIQUOR LICENSE REQUEST** – LeLyonnais for Sunday November 18, 2001.

### **V. TOWN MANAGER'S REPORT**

### **VI. 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.

#### **Mtgs. Begin at 7:00 P.M.**

Nov. 20 Public Safety Building Presentation

Dec. 4

Dec 18 Town Budget Presentation

#### **GOALS 2001-2002**

1. Resolution of on-going Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Peter)
3. Towne Building Reuse (Walter/Dore')
4. ALG process be used for purpose of Budget Planning for FY '02 (Peter/Trey)
5. Residential and Commercial Growth (Walter/Trey/Pam)
6. Open Space and Recreation Plan (Peter/Walter)
7. Health Insurance Trust Agreement (Peter)
8. HDC Bylaw Review (Dore'/Peter)
9. Decision on Pentamation Accounting System (Dore'/Pam)
10. Process Planning for "Life after NESWC" (Pam)

#### **FY 2000 GOALS carried forward**

11. Public Safety Facility (Dore'/Trey)
12. Determine future of Vallencourt House - 17 Woodbury Lane.
13. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter)

# Selectmen's Minutes

## November 20, 2001

7:00 P.M.

Present: Peter Ashton, Trey Shupert, Pam Harting-Barrat, Dore' Hunter, Walter Foster, Town Manager and Assistant Town Manager. Meeting was televised.

### CITIZEN'S CONCERNS

Citizen Hunter speaking about ANN, updated the Board on their progress to establish a steering committee. They have 18 people who will be neighborhood contacts. Precinct 3 in the West Acton area has the highest number of volunteers. He noted we are a spin off of Concord's program and urged anyone interested to come forward to participate.

### PUBLIC HEARINGS & APPOINTMENTS

**PUBLIC SAFETY FACILITIES** –Chief Widmayer gave a presentation on the different scenarios that have been developed. Peter asked if he felt the plan would be ready for April Town meeting. He asked the steering committee for their position. Peter also asked about signalization at Hayward Road. Don said they spoke about it at the Budget meeting and it is high on the list.

Walter asked if we could lease the police firing range. The Chief said it was a possibility and they feel it could attract other communities. Trey felt they would need to monitor the outside use.

Pam was in favor of regionalization of the range.

Charlie again noted that the Steering Committee has not voted to support the number and/or size of the PSF. He wanted to make the citizens aware that it is going to cost 8 million. He doesn't think we need to spend that much and spoke about inflation and felt it was irrelevant. He is concerned that they will work out details on a concept that will not be approved. He says they need a station but not that size. He wants to see the type of bldg. 5 million would look like. That is not part of the scope and not looked at.

Jack Reetz gave an overview of the presentation for Fire Stations needs. Dore' noted that the Steering committee accepted it unanimously.

They have looked at the options of doing nothing or adding a station. They recommend option 2 and do not feel they will need a fourth station. The ladder truck would be moved to North Acton. This plan will meet the needs of the community and can be implemented in stages.

Pam spoke about the potential increase in responses for the assisted living and suburban Manor.

The Board thanked Jack for his presentation.

**TAX CLASSIFICATION HEARING** – Don Rhude noted we now have the State's approval of our numbers. What needs to be done now is to review which option will be taken. Peter noted it is a difficult and a political issue. He has looked at several observations/and opinions. We are all members of the same community and he believes that, as such no one should get different treatment. Peter spoke about us being a business friendly community. He said that he wanted to stay at the 55% /45 Split, but would look deeper into this as the year goes by and economic conditions change.

Dore' noted that this is his 18<sup>th</sup> year of making this decision. He doesn't see any particular reason to adjust the numbers to level the rate. Dore' said he will vote for uniform rate.

Trey said that he has concerns about many businesses that have been struggling. The business community and residents have said we should have a uniform rate. He asked many questions but got no response to his request for information from the business community. He felt that the split would not discourage new businesses from coming to Acton. He supports the 5% split.

Pam noted that she has been contacted by business owners and urged to return to the uniform rate. She asked for the effect on businesses. She asked if they really felt that the split would cause a business to move or relocate elsewhere. It is felt it was perception and a fairness issue, and who benefits.

Walter said that he has heard the fairness and dollar issue that businesses don't use all the services. He feels that business and citizens are drawn here for the school service. He would be in favor of going back the uniform rate. DORE' HUNTER - Moved to go from a 5% shift to uniform rate, no other exemptions – PAM HARTING-BARRAT – second. Peter and Trey voting No – Motion Passes 3-2.

**TOWN CLERK INTERVIEW** - The Board interviewed Ed Ellis for the Town Clerk's Position. The Board asked questions regarding the operation of the department and asked what changes he might make. He noted he is happy with the computer that they use provided by the State. The Board thanked him for interviewing. The Board discussed the appointment and all agreed to appoint Ed as permanent Town Clerk for a term of 3 years. PAM HARTING-BARRAT -move to appoint Ed Ellis to position of Town Clerk. TREY SHUPERT – Second. UNANIMOUS VOTE.

**EAST ACTON VILLAGE LANDSCAPING IMPROVEMENTS** - Peter asked if Staff had any input on this. Ed Pearson has spoken with Roland, Dean and David; he asked the Board give them time as we have little manpower. Dean has cleared brush already. A topo survey would take longer to complete. Peter asked about the cost. Mickey Williams said they want it as a central point and hopes the Rail trail will eventually go through. They want to have it a small park and the plantings will be chosen so that it will be inviting.

## **SELECTMEN'S BUSINESS**

**DRUMMER FARMS SNOW PLOWING APPEAL** – The Board discussed the request for plowing. The Board did not want to set a precedent by rescinding a vote. Dore' said we

should have a condo trustee present at the next meeting to explain the history of the posting of the road.

**MEETING(S) WITH THE SEWER DISTRICT OWNERS-** Peter wanted to know if the Board felt they needed another meeting with the owners. He reported on a conversation with Pam Resor. Peter suggested a meeting on December 10th and to book a room at the Senior High Space. Peter spoke about the Mill Corner request that they need to respond in a timely manner.

## **OTHER BUSINESS**

Trey noted that Don sent the letter to 45 Martin Street. The owner is not happy with any of the options. He suggested that Don meet with him one more time. We could vote to revise the district, as he is not a mandatory hook up. They could have a Contingent Vote -DORE' HUNTER – Moved to redraw the district to leave 45 Main Street out and to return his money. TREY SHUPERT – Second. UNANIMOUS VOTE.

## **CONSENT AGENDA**

TREY SHUPERT - Moved to approve with the One-Day Liquor for the Church of the Good Shepherd on hold, as well as the One-Day Liquor for LeLyonaise held. – PAM HARTING–BARRAT. Second. UNANIMOUS VOTE.

LeLyonaise - DORE' HUNTER – Moved to issue the license only after taxes are made current. TREY SHUPERT. Second. UNANIMOUS VOTE.

Minute Correction -Mr. Foster wanted the minutes changed in two areas– DORE' HUNTER – Moved to accept the Minutes with Mr. Fosters corrections. TREY SHUPERT- second. UNANIMOUS VOTE

Site Plan #10/15/85-267 Deck House - PAM HARTING-BARRAT – Moved to approve the Amendment for Deck House. WALTER FOSTER – Second. UNANIMOUS VOTE

DORE' HUNTER – Moved to approve the One Day liquor for Church of the Good Shepherd. WALTER FOSTER – Second. Motion passes with Mr. Shupert abstaining.

## **TOWN MANAGER'S REPORT**

**VOTING PRECINCT LOCATIONS** – The Board discussed the proposed plan. Peter felt that what was presented looked ok. It will take affect 12.31.01.

**FY 03 BUDGET PREPARATION STATUS UPDATE** – Don updated the Board on the progress of the budget status. It has been very constructive.

**MINOT AVE. SIDEWALK REQUEST** – Don outlined the difficulty in affecting a change. They looked at different options for the crosswalk relocation. The best solution is to



extend the sidewalk on the inside curve and will require a tree being removed. They propose to do it in the Spring.

Walter wanted to have the entire area looked at for resolution including Taylor Road.

**ARTS COUNCIL DISCLOSURE** – Board so noted the disclosure made by the Arts Council.

## **EXECUTIVE SESSION**

PAM HARTING-BARRAT – Moved to go into Executive Session to discuss Collective Bargaining -PETER ASHTON - SECOND. The Board will only return to open session to adjourn. Roll Call taken by the Clerk, All Ayes.

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Christine Joyce  
Recording Clerk

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Clerk

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Date