

SELECTMEN'S MEETING
APRIL 29, 1997



The Board of Selectmen held their regular meeting on Tuesday, April 29, 1997 at 7:30 P.M. Present were Chairman Nancy Tavernier, F. Dore' Hunter, Wayne Friedrichs, Herman Kabakoff, William Mullin, Town Manager Don Johnson and Assistant Town Manager John Murray.

{The meeting was televised by cable}.

CITIZENS CONCERNS

Jim Allison, 22 Cowdrey Lane sought help from the Board for the water problems he is facing due to the beavers and their dams. The existing beaver dam is approximately 200 feet long and Mr. Allison and his neighbors have gone back and forth with the Department of Fisheries and Wildlife seeking help. Mr. Allison indicated that he thought the Fisheries and Wildlife would trap the beavers in June. DORE' HUNTER - Move to direct staff to give assistance to alleviating this problem. BILL MULLIN - Second. UNANIMOUS VOTE.

PUBLIC HEARINGS AND APPOINTMENTS

BOSTON EDISON

MAIN STREET NORTH OF NORTH STREET

WILLIAM MULLIN - Move to approve. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

BOSTON EDISON

MAIN STREET NORTHEAST OF CONCORD ROAD

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

BOSTON EDISON

WETHERBEE STREET

DORE' HUNTER - Move to approve. WAYNE FRIEDRICHS - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

TOWN MEETING WRAP - UP

The Board all agreed that the format of the warrant and budget supplement worked very well this year. The Board heard from the public that they wished the school information had been made available earlier. They Board mentioned that next year they would like to distinguish the Budget Supplement from the Warrant by adding color. The Board stated that they would like to see the Planning Board simplify the summaries in the Zoning articles.

The Board also discussed the length of Town Meeting. All members felt that three nights would have been sufficient and did not think it was necessary to have the fourth. The Board stated that they have very little control over the meeting length. The Board felt that the Moderator could have controlled the meeting a little more. The Board also stated their concern regarding spending \$500,000 in the last 10 minutes of town meeting. Bill Mullin suggested that the Board ask the Moderator to do the following:

1. Give his estimate on the length of Town Meeting.
2. Make sure the public focuses on the debate.

Dore' stated that he remembered the days when Town Meeting lasted 8-9 nights.

Don MacKenzie, Moderator, entered the room. Mr. MacKenzie was briefed regarding the Board's conversation. Mr. MacKenzie stated that the Town of Lexington meets 15 nights and the Town of Dennis meets for 1 night. Mr. MacKenzie felt that the length of Town Meeting is longer due to the amount of questions asked by the public. Mr. MacKenzie suggested that staff be put on the floor to answer questions which he feels could shorten the time. Mr. MacKenzie also stated that he did not recognize 80% of the people which also adds time onto the meeting. Mr. MacKenzie stated that people making amendments had not prepared the amendments ahead of time which also increased the length of town meeting. Mr. MacKenzie stated that he gave the public the opportunity to debate the last fifteen minutes of spending and the only thing that was cut was the presentations by staff. Mr. MacKenzie asked the Board to formulate in writing all of staffs concerns which he will address.

VOLUNTEER LIABILITY

This issue has been brought before the Board of Selectmen by the Conservation Commission subcommittee called the Land Stewardship. The issue was raised due to concerns with volunteers using power equipment. Staff has checked into obtaining insurance for the five (5) people that would be using the equipment and the cost would be \$310.00. The Board asked what has been done in the past. Staff stated that any injury would fall on the volunteers personal insurance and if there wasn't any insurance then it would be private by the volunteer which could possibly run into a suit against the Town. Staff has also suggested to all organizations that they obtain their own private insurance. The Town cannot purchase a general liability policy for all its volunteers. Staff was also concerned about discouraging volunteers from working as

volunteers since volunteers are a big part of Acton's makeup. The Board also discussed putting a statement on the Volunteer Coordinating Committees application to make volunteers aware of any potential risk.

CHAPTER O

Nancy Tavernier stated that Chapter O needs to be addressed by the Board in the near future based on legislation change that occurred last year. Acton also needs to adopt this change of wording. The Board addressed this issue previously and concerns were raised by the Acton Area Chamber of Commerce. Nancy asked how much tax money the Town has lost due to the suspension of collecting Chapter O monies. The Board debated using hard enforcement for collection and staff stated that some of the people on the list for taxes owed know how the system works and are choosing to abuse it. The Board asked staff to come up with a proposal on how to address this issue. Wayne Friedrichs volunteered to speak with the Chamber to resolve any issues that they might have.

RECREATION WHITE PAPER DISCUSSION

Bill Mullin discussed his report entitled "Recreation in the Town of Acton". The Board stated that they were impressed by the packet of information. Bill stated that a lot of hard work went into this report by staff and volunteers who donated their time and resources. WILLIAM MULLIN - Move that the Board of Selectmen support this Recreation vision and will adopt the following:

1. Adopt the vision statement located on page three of the report changing line two from "on a par with or..." to or comparable....

That the Board of Selectmen support the Recreation Vision and will distinctly incorporate it in relevant decision making processes.

2. Re-establish, with a membership of 5-9 members, the Recreation Commission. The membership of the Recreation Commission should include the Director of Community Education.

3. Require staff comments about recreation issued on subdivision and site plan approvals for residential and commercial development.

4. Require Planning Board comments about recreation issues on subdivision approvals for residential and commercial development.

5. Direct the Town Manager to deliver to the Board of Selectmen a report entitled "Recreation" at or about the time of delivery of his annual town budget message. This report should describe a summation of the operational, programming, maintenance and capital budgeting items which have an impact on recreation for the next three years. Bill Mullin also suggested that Acton look into purchasing more land for recreation purposes. DORE' HUNTER - Second. UNANIMOUS VOTE.

BILL MULLIN - Move to direct the Town Manager to develop a strategy, as quickly as possible, to employ greater amounts of the land that the Town already owns as fields for sports activities. DORE' HUNTER - Second. UNANIMOUS VOTE.

ECONOMIC DEVELOPMENT STUDY COMMITTEE PRESENTATION

Wayne Friedrichs reported to the Board the conclusions of the Economic Development Study Committee. Mr. Friedrichs reported that it was their recommendation that an advisory committee be formed, which will report to the Board of Selectmen. It was their recommendation that the committee consist of 5-9 members with a three year term and the committee be drawn from the BOS, Planning Board, Finance Committee, Chamber of Commerce, and the Business Community. The goal of the committee is to promote the economic well being in Acton and also to take an active role in bringing desirable businesses to Acton. Additional goals would include, tax diversification, improved quality of life, goals of the master plan, employment opportunities and consumer revenues. WAYNE FRIEDRICHS - Move memo dated April 29, 1997 written by Wayne Friedrichs (see attached). DORE' HUNTER - Second. UNANIMOUS VOTE.

BETTER GOVERNMENT COMPETITION

Nancy volunteered to draft the entry letter for the Better Government competition.

HANSCOM AIR SHOW 97

The Board is in receipt of a letter from Hanscom Air Show asking the Board of Selectmen to operate a booth at their annual Air Show. The booth must be sponsored by the Board of Selectmen and the selectmen would be responsible for determining how the booth will be manned and profits split between nonprofit organizations in Acton. The booths can not advertise for any political cause or issue nor for the non-profit organizations for which they are raising money. The Board stated that they do not wish to operate a booth. The Chamber of Commerce has expressed interest in manning a booth, however, no approval from the Board is needed.

EAGLE SCOUT COURT OF HONOR MICHAEL FITZGERALD

Herman to represent the Board.

LAST MINUTE CHAIRMAN ITEMS

Nancy stated that she had a chance to browse the Home Page and that it was excellent. The Board also discussed their displeasure that the School Committee had scheduled conflicting meeting dates and that they felt they should skip over May for the next ALG meeting and possibly meet in June.

BOARD REORGANIZATION

NANCY TAVERNIER - Move to nominate F. DORE' HUNTER as the next chairman.
WILLIAM MULLIN - Second. UNANIMOUS VOTE.

Bill Mullin stated that Nancy's performance this past year has been incredible and exemplary and that the Town is lucky to have had her.

DORE' HUNTER - Nominate WAYNE FRIEDRICHS as the Vice Chairman.
WILLIAM MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Nominate HERMAN KABAKOFF as the Clerk. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

CONSENT AGENDA

NANCY TAVERNIER - Move to accept the consent calendar holding agenda item #15 & 17 for discussion. WAYNE FRIEDRICHS - Second. UNANIMOUS VOTE.

Herman asked the Board for clarification regarding internal borrowing. HERMAN KABAKOFF - Move to approve consent item number 15. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

Herman questioned why this sign request would need to be approved by the Board. The Board stated that it is not within the public way. HERMAN KABAKOFF - Move to approve consent item number 17. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

An additional consent item was placed before the Board. Jim Fenton would like to donate a house to the Fire Department for fire practice. WILLIAM MULLIN - Move to approve donation. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

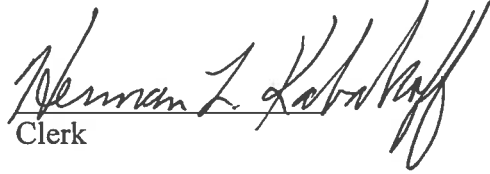
TOWN MANAGERS REPORT

ROOM 204 - HEARING ROOM


Samples of chairs were brought in to ask the Board members which chair they would like to see in Room 204. The Board picked a chair they all liked and asked staff to pick a fabric suitable to the room and to have some chairs with arms and some without. Don stated that he would direct staff to purchase the chairs. Some other suggestions were to use a standing microphones instead of the clips used on shirts and drapes, tables, and shades.

The Board adjourned regular session at 10:20 PM.

HERMAN KABAKOFF - Move to go into executive session for the purpose of discussing collective bargaining, purchase of real property and potential litigation. DORE' HUNTER - Second. All Ayes.


Clerk

6/10/97
Date


Sheryl Ball
Recording Secretary
4-29-97.DOC