

Selectmen's Minutes
SEPTEMBER 9, 2002
7:00 P.M.

Present: Trey Shupert (after 8:15), Walter Foster, Pam Harting-Barrat, F. Dore' Hunter, Assistant Town Manager. Meeting was televised.

CITIZEN'S CONCERNS

PUBLIC HEARINGS & APPOINTMENTS

PLANNING OVERSIGHT MEETING

Ken Shiga Hughes updated the Board on the duties and responsibilities of the Planning Board. They are in need of one associate member currently. They had questions to the Board regarding why they don't have commercial site plan responsibilities. Ed Pearson spoke about his problem with the formation of the PCRC and feels that the committee was formed because one individual suggested it, and found it outright insulting to the Planning Board. Wayne Friedrichs – spoke about PCRC it was his understanding it was not a one-person driven committee. He felt they are an Advisory Committee to advise the Board of Selectmen. He said it was not to usurp Planning Board powers. Most people on the Planning Board support the cluster zoning. Walter asked about Acton's response to CPA and what effect it would have on Planning. Planning said that the affordable housing segment could tip the scales

DONELAN'S SUPERMARKET SPECIAL PERMIT

DORE' HUNTER -Moved to discuss at 9:45. PAM HARTING-BARRAT– second.
UNANIMOUS VOTE.

DORE' HUNTER – Moved to take under advisement. PAM HARTING-BARRAT
Second. UNANIMOUS VOTE.

HISTORICAL COMMISSION OVERSIGHT MEETING

The Board was updated on the activities that the Historical Commission is involved in. They need associate as well as regular members currently. Peter Grover said that they are supportive of CPA.

SITE PLAN - COLLAGE MALL - #05/24/02-381 – CONTINUANCE

DORE' HUNTER - Moved continue to 8:15 on Sept 23rd. PAM HARTING-BARRAT.
Second. UNANIMOUS VOTE

SEPTEMBER 11 OBSERVANCE

The Board discussed the activities planned for Sept. 11th.

ACTON HOUSING AUTHORITY

Joe Neagle, Claire Kostro and the AHA Attorney, Henry Dane. Asked they be allowed to build the 20 car lot now. They want the Board's support to allow them to move forward with 20 car lot as approved on the site plan. If the lawsuit is favorable to them, they would like to move to get the additional 16 spaces built. Henry Dane spoke about the process and granting of approval from Board of Appeals.

Trey said if they were to move forward he would like minimal tree removal

Wayne Friedrichs spoke about the neighborhood and the parking issue.

Ms. Day spoke in favor of the lot

Ms. Loftus spoke in favor of the lot

Ms. Newell spoke in favor of the lot, but felt that Ms. Sussman should be included in discussing this further.

Dore' wanted to see written text to Ms. Sussman to see if they can resolve the issues she has as well as developing a workable plan for the 20 parking spaces.

PUBLIC SAFETY BUILDING COMMITTEE

DORE' HUNTER - Moved to place the 6.4 million amount in the warrant. PAM

HARTING-BARRAT – Second. UNANIMOUS VOTE

It was noted that any money left over would not be used.

BUDGET PRESENTATION

John and financial staff presented the Board with a presentation of what the budget would look like next year. It was noted that there was no question that we will need an override.

SELECTMEN'S BUSINESS

SPECIAL TOWN MEETING – Dore' is working on the PSFC article.

BOARD OF HEALTH APPOINTMENT – Pam spoke about the need for Board of Health support. PAM HARTING-BARRAT- Moved to appoint Terry Gilmore to finish the unexpired term of Molly O'Neil of 6/30/2005. WALTER FOSTER – Second. UNANIMOUS VOTE.

EAGLE SCOUT COURT OF HONOR – Dore' will represent

SEWER COMMISSIONERS REPORT

It was suggested that the second meeting of the month we move the Sewer Commissioners report up front in the meeting at 7:05

OTHER BUSINESS

The Board discussed on going problems with NSTAR. Staff was asked to invite them in for a meeting to discuss the issues at point.
Pam discussed the current crowding on the train.

Trey spoke about AWAC and that it should be mothballed.

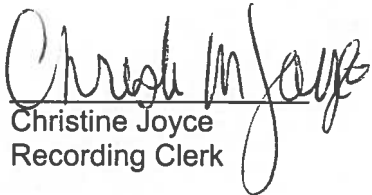
TREY SHUPERT – Moved that the Selectmen accept the recommendation of AWAC with thanks for a job well done and to moved into inactive status to be brought back when needed. PAM HARTING-BARRAT – Second. UNANIMOUS VOTE.

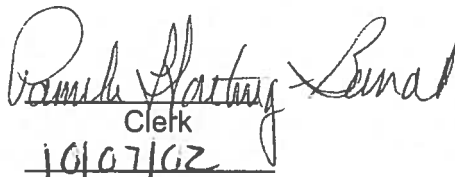
CONSENT AGENDA

DORE' HUNTER – Moved to approve. PAM HARTING-BARRAT – Second.
UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

EXECUTIVE SESSION


Christine Joyce
Recording Clerk


Clerk
10/07/02
Date

September 6, 2002

TO: Board of Selectmen, Sewer Commissioners

FROM: Trey Shupert, Chairman

SUBJECT: Selectmen and Sewer Commissioners Report

SEPTEMBER 9, 2002
MEETING BEGINS AT 7:00 P.M.

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:05 PLANNING BOARD OVERSIGHT MEETING
2. 7:30 DONELAN'S SUPERMARKET SPECIAL PERMIT –We will not have the necessary 4 selectmen available to hear this Special Permit at 7:30 this evening. It is suggested we continue this within the meeting at 9:45
3. 7:45 HISTORICAL COMMISSION OVERSIGHT MEETING.
4. 8:00 SITE PLAN - COLLAGE MALL – SITE PLAN # 05-24-02-381 – Continuation from the August 19 meeting.
5. 8:05 SEPTEMBER 11TH OBSERVANCE
6. 8:15 ACTON HOUSING AUTHORITY – Betty McManus has asked for the opportunity to discuss the appeal which has been filed concerning Windsor Green's parking lot expansion plan.
7. 8:30 PUBLIC SAFETY BUILDING COMMITTEE PRESENTATION – Chairman Shupert will provide a status update to the Board
8. 8:45 BUDGET PRESENTATION – Asst. Town Manager John Murray will present the Preliminary FY'04 Municipal Budget.
9. 9:45 DONELAN'S SUPERMARKET SPECIAL PERMIT – Continued from 7:30 P.M.

III. SELECTMEN'S' BUSINESS

10. SPECIAL TOWN MEETING.
11. BOARD OF HEALTH APPOINTMENT – Enclosed please find a memo from the Health Director regarding Molly O'Neil's resignation. As indicated in Doug's memo, both Associate Members Terry Gilmore and Roxanne Hunt are willing to step up to the position. Ms. Gilmore was appointed 5/2/02 and Ms. Hunt on 6/17/02.
12. EAGLE SCOUT ASSIGNMENT – Enclosed please find an invitation to Paul Traver's Court of honor for Board assignment.

13. . OTHER BUSINESS

IV. SEWER COMMISSIONER'S REPORT

V. CONSENT AGENDA

14. ACCEPT GIFTS – Enclosed please find a request from the Recreation Director to accept donations for the upcoming Acton Day as listed in her memo of August 28 for Board acceptance.

15. CROWN RESISTANCE DAY INVITATION AND PROCLAMATION FOR SIGNATURE

16. REQUEST FOR PROCLAMATION – Enclosed please find a request to proclaim October 18th as Discovery Museums Appreciation Day in Acton for Board signature.

17. COMMITTEE APPOINTMENTS RECREATION COMMISSION – Associate Members Allison Gallagher and Robert Cadogan are willing to be elevated to Regular Members on the subject Committee. Enclosed please find the VCC applications and VCC comment from their original interviews for positions of Associate members to the Recreation Commission.

18. ONE DAY LIQUOR LICENSE – Enclosed please find a request from Congregation Beth Elohim for a One-Day Liquor License for November 2, 2002 for Board action.

19. AMENDMENT TO SITE PLAN SPECIAL PERMIT – ROBBINS BROOK – Enclosed please find a request for Amendment and Staff comment for Board action.

VI. TOWN MANAGER'S REPORT

VII. 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.

Sept. 23, HDC and Board of Assessors Oversight Meetings, CPA Presentation, Common Vict. Donelan's and O'Natural, Bldg. Commissioner Fees
Oct. 7, Plowing of Private Ways discussion/review.

GOALS 2002-2003

1. Labor Negotiations & Improve Labor Relations environment (Peter/Trey)
2. Improve Communication with Town Boards (Peter/Trey)
3. Towne Building Reuse (Walter/Dore/Peter)
4. ALG process be used for purpose of Budget Planning for FY03 (Walter/Trey)
5. Residential and Commercial Growth (Walter/Pam)

6. Open Space and Recreation Plan (Peter/Walter) Completed
7. Health Insurance Trust Agreement (Peter)
8. Decision on Pentamation Accounting System (Dore'/Peter)
9. Process Planning for "Life after NESWC" (Pam/Peter)
10. Implement Chairman Round Table - (Trey)
11. Joint IT process-organizational change (Peter/Dore')
12. Implement an on-going Public Relations campaign regarding budgetary situation (Trey/Walter)
13. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter)
Based upon results of Salary Survey, conduct a through review of current salary levels (Trey/Peter)
14. Revist 2020 Planning Process for direction to make this process more beneficial towards
Implementation of long term vision (Trey).
15. Want to see more interface with Emerson.(Pam)

GOALS carried forward

16. Public Safety Facility (Dore'/Trey)
17. Determine future of Vailancourt House - 17 Woodbury Lane. (Pam)

Goals 2003-Selectmen folder

Sept 11 -
attach to minutes for
Dore' Hunter and BOS.

9/9 (7)

John Murray

From: Dore' Hunter
Sent: Friday, September 06, 2002 9:43 AM
To: Board of Selectmen; Manager Department
Subject: Background for Monday Night Vote re Public Safety Facility

Hi Folks,

Monday night, 9 September, at the Board of Selectmen's meeting, the Selectmen will have to vote on the important question as to what dollar amount should be sought in the 15 October Special Town Meeting's Article 1 to construct a new Public Safety Facility. I do not intend herein to begin an outside the meeting debate, merely to here give some preview of what I will personally lay out to the Board on Monday to give you a chance to consider your positions when we discuss this issue during the meeting.

I presently intend to suggest that the Board of Selectmen approve a Public Safety Facility Warrant Article amount of only \$6,000,000, even though I have some personal reservations as to whether in the end that will be a sufficient sum to construct a Facility adequate to the Town's needs for the foreseeable future. I also acknowledge that such will make several members of the volunteer group that has worked on this project angry at me.

Some background is necessary. The PSFBC has struggled for months in regard to the likely cost of a new Public Safety Facility which will include a Police Station, a Joint Dispatch and Communications Center, and the Fire Department's administrative offices. Considerable effort has been spent obtaining more through cost estimation than is normal in a feasibility study, including several appearances before the Steering Committee by a respected police station construction estimator. Some members of the Steering Committee have, however, never been satisfied by the various construction and cost estimates provided (except as relates to the Dispatch Center equipage), and have continually pointed generally to lower total costs reportedly incurred for the construction of other communities' police stations.

Recently the new Finance Committee member replacing Jack Reetz, Ian Montclieff, buttressed that disbelief. He has analyzed a volume of construction cost data related to the building of other communities' police stations, submitted by the final design architect applicants, that seems to lend support to the view that somehow an Acton Public Safety Facility could be built for less money than the numbers thought appropriate by the majority of the Steering Committee. Ian's studies, however, show that the size of the Public Safety Facility we are considering is the average size of the police stations built by other similar communities (even though our proposal also includes Fire Administration spaces). Indeed the peer reviewer's report suggests that we have squeezed some space down too small in the latest conceptual floor plan.

The feasibility study architect's, and the peer reviewer's, numbers as adjusted by the Steering Committee as a whole, support a \$6,400,000 Warrant

Article. Despite some continuing generalized disbelief on the part of some participants concerning that work, it appears to be a reasonable number to me. Included in that figure is \$116,500 for the conversion of police and fire from outdated and about to be unsupported PAMET computer software to Windows NT technology, which is urgent and must be done soon in any event. Subtracting that computer conversion from the PSF project, and seeking the conversion fund through the regular budget process, would lower the PSF project estimate thought appropriate to the majority of the PSFBC Steering Committee to about \$6,300,000. The difference between \$6.3M and \$6.0M is about 4.76%.

The Public Safety Facility Building Committee (PSFBC) Steering Committee on Wednesday night, by a majority vote, undertook to recommend to the Board of Selectmen that the amount sought in the Warrant Article should be Six Million Four Hundred Thousand Dollars. The voted motion was made by Jonathan Chinitz, one of the two Finance Committee representatives on the PSFBC and a passionate supporter of that number. There were three dissenting voters present, Kadlec, Doscocil and Katis (an abutter). Unavoidably absent at that meeting was Finance Committee member Ian Montclieff who had previously indicated by email that he would not support a \$6,400,000 figure. The views on both sides of this divide are strong, with perhaps more passion in the majority view. To the distress of some I abstained from the Wednesday evening PSFBC vote knowing that I would have a "second vote" and wanting to think through the most likely winning scenario for the Town as a whole given the split vote. I have personally concluded that it is the best interests of the Town for the Selectmen to adopt the lower number. Therefore, as indicated above, I will recommend that the Selectmen put the \$6,000,000 figure in the Warrant, despite my personal reservations as to the adequacy of that number.

I take this view as I believe that going to Town Meeting with a \$6.0M number will avoid having well organized opposition to the project, and having those organized opponents be able to point to the views of the dissenting members of the PSFBC, the very group which as a whole is recommending the project. I acknowledge that at the same time the \$6.4 supporters may be "turned off". It is not my belief that a Six Million Dollar figure will be acceptable to the all of the PSFBC folk who have worked on the project, and I know that some will view this move on my part as a rejection of their hard work, and perhaps as capitulation to the views of dissenters who may have different agendas. However, it seems to me that the \$6.4M believers will have their opportunity on Town Meeting floor to move to amend the Motion brought under the Warrant Article and to try and convince the voters that the higher amount is appropriate. If they lose that argument, I believe we still may well obtain the needed votes at \$6.0M.

I deeply fear that the reverse will not occur, that if the Warrant Article figure is \$6.4M I think it likely the critics of any spending increase will unite behind the informed and participating nay sayers, and simply defeat the entire proposal again, if not at Town Meeting then afterwards.

It simply seems to me that there is a better chance that we will get a new

Facility built, even if more compromises must be made, if the Board is seen to be very conservative in its funding request.

The PSFBC will be recommending the appointment of a new architectural firm prior to the Special Town Meeting and it appears that all the finalists at this point are acceptable to all the PSFBC members. We know that the final design will differ from the conceptual design plans we now have, if only because the PSFBC has voted to seek a final design with slab on grade rather than a basement. Hopefully the dissenters are correct that the Six Million Dollars will be adequate for the contemplated project. If not, having expressed reservations at this point, hopefully if those architects tell us we cannot build the minimum sized station presently contemplated for less than \$6.4 or \$6.3M, we could then reasonably return to Annual Town Meeting in the Spring united in an attempt to fund the difference before putting the project out to bid. However, a defeat in October and November this year, in my view, would completely set this important project back for years.

This is not an easy decision.

Regards,
Dore' Hunter
Summer telephone: 518-543-6953
Email: DoreHunter@aol.com