



## **SELECTMEN'S MINUTES**

**February 24, 1996  
Special Meeting 9:00 am**

**Present:** William C. Mullin, Nancy C. Tavernier, F. Dore' Hunter, Wayne L. Friedrichs, Herman Kabakoff, Town Manager Don Johnson and Assistant Mgr. Murray. (The meeting was not televised)

### **CITIZEN'S CONCERNS**

NONE EXPRESSED

### **PUBLIC HEARINGS AND APPOINTMENTS**

NONE SCHEDULED

### **SELECTMEN'S BUSINESS**

#### **BUDGET PRIORITY LIST REVIEW**

The Board discussed freeing up the \$60,000 playground equipment monies by moving them into the NARA Bonding or Recreation Bond. Herman felt from a financial point it made sense but from a political point it would not be, and felt that if NARA was a failure, the playgrounds would also loose. He has heard much negative talk about NARA and none about the playground equipment and felt that there would be much discussion at Town meeting against the NARA project.

Bill said his view is not political, from a fiscal management view, he feels it was appropriate to group them together and would free up additional monies.

Dore' was concerned to, he felt that the work to raise funds for playgrounds might cease if the town funded them, what would be the incentive to continue to raise monies. Bill felt these items should be bonded as the life of the equipment was long.

Nancy felt the only question would be to bond or not to bond and to decide how to package the items later.

Herman expressed concern that if the equipment were to be fully funded that would deminish the fund raising efforts.

NANCY TAVERNIER - Moved to have the NARA and Playground Equipment as separate articles, if both articles pass, the Board would then make the decision on how to bundle them later. DORE' HUNTER - Second. Motion Withdrawn

## EXECUTIVE SESSION

DORE' HUNTER - Took roll call - All ayes, the Board will go into executive session to discuss strategy for labor negotiations.

The Board adjourned into Executive Session at 9:30 A.M.

DORE' HUNTER - Moved to adjourn Executive Session and return to public session.  
HERMAN KABAKOFF - Second.

DORE' HUNTER - Moved with great regret to withdraw the request for \$299,289 to be used for unified Dispatch. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Dore' explained that he had made this motion because of many unresolved labor issues and greatly regrets not being able to move forward with this project. He urged the Town Manager to move forward to continue to explore unified dispatch with the feasibility study. The Fire Dept. Was asking for additional funds for overtime to bring the percent of coverage up. He wanted the Chief to take steps to reduce the people out on sick time. Dore' expressed concern with the union sick time usage vs. non-union employees. The Chief responded the he is attempting to tighten up the usage.

Dore' wanted to see the sick time usage down and a better way of controlling the usage in writing for Tuesday night, and to reserve the \$56,500 until that time.

DORE HUNTER - Moved to include \$15,000 for fire alarm as a warrant article -  
HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

DORE HUNTER - Moved to include \$50,000 for the Kelley's Corner Traffic Study as a warrant article - HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

HERMAN KABAKOFF- Moved to fund the Grant Writer as a warrant article. NANCY TAVERNIER - Second. UNANIMOUS VOTE. Nancy noted she would like to see some of the funds used for economic development consultant.

HERMAN KABAKOFF- Moved not to fund the Highway Employee. NANCY TAVERNIER - Second. Nancy speaks against the motion. She felt that Dick made compelling case for the additional person. Dore' agreed. Herman felt that from reading the explanation he felt that we were getting the services and shouldn't allow our present money situation to allow us to drive this.

DORE' HUNTER - Moved to approve the \$37,500 for a New Highway Employee and to include it as a Warrant Article. NANCY TAVERNIER - Second. 4-1 Herman No.

DORE' HUNTER - Moved to approve the \$37,500 for a new Grounds Crew Employee to be funded as a Warrant Article. NANCY TAVERNIER - Second.  
UNANIMOUS VOTE

NANCY TAVERNIER - Moved to approve the \$14,000 request for a Mailing Machine to be taken from the Operating Budget. DORE' HUNTER - Second. UNANIMOUS VOTE

HERMAN KABAKOFF - Moved to approve the \$3,560 for a Laser Jet Plotter from the Operating Budget - DORE' HUNTER - Second. UNANIMOUS VOTE.

Full Size Plan Copier was briefly discussed. The Board will discuss it at the Tuesday night meeting after reviewing additional submissions of information.

DORE' HUNTER - Moved to approve \$5,000 from the Operating Budget for Heat for Fire Station #3. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Irrigation 2A/27 - Much discussion on whether or not we should fund. Nancy was inclined not to support. Herman felt it could be bonded with other playground articles or "Recreation Package". Wayne had field usage questions. Dore' was inclined to support but questioned costs.

WILLIAM MULLIN - Moved to approve the \$20,000 for irrigation at 27/2A as a warrant Article. DORE' HUNTER - Second. 4-1 NANCY TAVERNIER - NO.

DORE' HUNTER - Moved to approve \$7,500 for DPW Heater from the Operating Budget. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

Hazardous Waste Day - Hold until Tuesday.

East Acton Village Plan - Herman felt we should look a this. Dore' and Bill were not included at this time.

HERMAN KABAKOFF - Moved to approve \$15,000 for the Cat Mower funding from Warrant Article - NANCY TAVERNIER - Second. UNANIMOUS VOTE.

### **ENTERPRISE/REVOLVING FUNDS**

NANCY TAVERNIER - Moved to approve NESWC Trash trailer for \$85,000 from NESWC funds. WAYNE FREIDFRICHS - Second.

Herman felt uncomfortable, could not convince himself whether we should expend. Dore' wanted to see some more long term replacement plan and discuss Tuesday. MOTION WITHDRAWN

NANCY TAVERNIER - Moved to approve Septage Ground Water Testing- DORE' HUNTER- Second. UNANIMOUS VOTE.

NANCY TAVERNIER - Moved to approve the Septic System Inspector - DORE' HUNTER - Second. UNANIMOUS VOTE.

### **WARRANT ARTICLES**

***(Please note: Recommendation votes taken at previous meetings will not be listed. Index attached to minutes for article reference dated:2/21/96 Warrant 5.DOC.)***

NANCY TAVERNIER - Moved to Send a note to the Schools to have them separate out their technology items from the articles they submitted. DORE' HUNTER - Second. UNANIMOUS VOTE.

AA - DORE' HUNTER - Moved to take AA Scholarship Fund - off and advise the School Committees the operational reasons why. No objections to next year to reinstate if...Withdrawn.

DORE' HUNTER - Moved to not recommend Article AA - NANCY TAVERNIER-Second. Motion Withdrawn.

Herman felt we should make one more call to schools to see how involved they are.

Bill felt we include this with computer memo questions.

NANCY TAVERNIER - Moved to defer. HERMAN KABAKOFF - Second.

DORE' HUNTER - Moved to not Recommend. 4-1 Herman No.

FF - Charter Changes - NANCY TAVERNIER - Moved to Recommend to delete the reference to Minuteman Home Care, reference #6 Budget Estimates and 6-2 and 6-3 for this year. DORE HUNTER- Second. UNANIMOUS VOTE. It was decided to send a note to the Fin Com to work to set-up line schedule get their input as well as LWV.

DORE' HUNTER - Moved to pull Section 3. 4-3 Town Manager, HERMAN KABAKOFF SECOND. 4-1 NANCY TAVERNIER NO.

KK- NARA -DORE' HUNTER - Moved to Recommend. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

The Board then discussed the debt exclusion language. NARA and Library articles. Nancy warned that the contingent language would lock us into a 45 day special election. DORE' HUNTER - Moved to use contingent language on override on NARA and Library articles and to acknowledge going to a Special Election within 45 days . NANCY TAVERNIER- Second. UNANIMOUS VOTE.

Article C\* - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article D\* - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article E - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article F - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article G\* - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article H - NANCY TAVERNIER Moved to Defer Recommendation. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

Article N- NANCY TAVERNIER Moved to Defer Recommendation. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

Article O - NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article P - HERMAN KABAKOFF Moved to Recommend. - DORE HUNTER Second. UNANIMOUS VOTE.

Article Q\* - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article R\* - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article S - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article T - NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article BB - NANCY TAVERNIER Moved to Not Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article CC# - HERMAN KABAKOFF Moved to Not Recommend. - DORE HUNTER Second. UNANIMOUS VOTE.

Article DD - NANCY TAVERNIER Moved to Defer Recommendation. WAYNE FREIDRICHS - Second. UNANIMOUS VOTE.

Article EE\* - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article FF - DORE' HUNTER Moved to Recommend. HERMAN KABAKOFF - Second. 4-1 NANCY TAVERNIER NO.

Article HH - NANCY TAVERNIER- MOVED DEFER RECOMMENDATION- WAYNE FRIEDRICHS - SECOND. UNANIMOUS VOTE.

Article II# - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article KK - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article LL - NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article NN\*- NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article MM\*- NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article SS\*- NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article TT- NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article UU- NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article VV- NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article WW- NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article MMM- NANCY TAVERNIER Moved to Defer Recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article NNN- NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article OOO- NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

Article PPP- NANCY TAVERNIER Moved to Recommend. DORE' HUNTER - Second. UNANIMOUS VOTE.

### **EXECUTIVE SESSION**

DORE' HUNTER - Took roll call - All ayes, the Board will go into executive session to discuss strategy for labor negotiations.

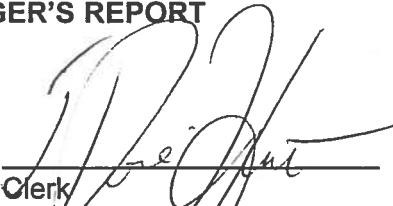
The Board adjourned into Executive Session at 1:30 P.M.

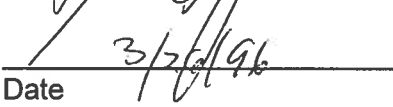
**CONSENT AGENDA**

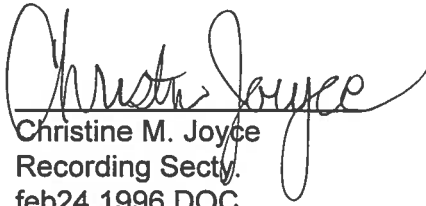
NOTHING LISTED

**TOWN MANAGER'S REPORT**

NONE DISCUSSED

  
\_\_\_\_\_  
Clerk

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Christine M. Joyce  
Recording Secty.  
feb24, 1996.DOC

## ARTICLE INDEX

- A CHOOSE TOWN OFFICERS
- B HEAR AND ACCEPT REPORTS
- C\* COUNCIL ON AGING ENTERPRISE BUDGET
- D\* NURSING ENTERPRISE BUDGET
- E\* SEPTAGE DISPOSAL ENTERPRISE BUDGET
- F NESWC ENTERPRISE BUDGET
- G MERRIAM SCHOOL OFFSET RECEIPTS BUDGET
- H BUDGET TRANSFER
- I TOWN OPERATING BUDGET
- J CAPITAL IMPROVEMENTS - FACILITIES AND EQUIPMENT, REPAIR AND RENOVATIONS
- K CAPITAL IMPROVEMENTS - VEHICLE REPAIRS
- L CAPITAL IMPROVEMENTS - DEPARTMENTAL EQUIPMENT
- M CAPITAL IMPROVEMENTS -INFRASTRUCTURE IMPROVEMENTS
- N MINUTEMAN REGIONAL SCHOOL ASSESSMENT
- O ACTON-BOXBOROUGH REGIONAL SCHOOL ASSESSMENT
- P ACTON PUBLIC SCHOOL BUDGET
- Q\* CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM
- R EMERGENCY/DISASTER AID APPROPRIATIONS
- S SECTION 53E1/2 SELF-FUNDING PROGRAMS
- T USE OF FUNDS TO REDUCE THE TAX RATE
- U *Deleted by bos 1/30/96, duplicate of priority list*

### NEW SUBMISSIONS :

- V\* *Combined into Article S (53E 1/2 ) 1/30/96*
- W\* *Combined into Article S (53E 1/2 ) 1/30/96*
- X\* *Combined into Article S (53E 1/2 ) 1/30/96*
- Y CAPITAL ARTICLE - ACTON BOXBOROUGH REGIONAL SCHOOLS
- Z CAPITAL ARTICLE - ACTON PUBLIC SCHOOLS
- AA ACCEPT PROVISIONS OF CHAPTER 194 - ESTABLISH SCHOLARSHIP FUNDS
- BB POWER CONVERSION FEASIBILITY STUDY
- CC# PETITION TO CHANGE ZONING OF LAND IN ACTON
- DD AMEND ENVIRONMENTAL PROTECTION BYLAW
- EE AMEND CHARTER - CHANGE NAME - ACTON BOXBOROUGH ARTS COUNCIL
- FF CHARTER CHANGES -VARIOUS SECTION REVISIONS
- GG *Deleted by Bos 1/30/96, duplicate of priority list*
- HH CABLE TELEVISION CONTRACT RENEWAL FUNDING
- II# EARTH DAY RESOLUTION
- JJ PLOWING OF PRIVATE WAYS
- KK NORTH ACTON RECREATION AREA
- LL HOME RULE PETITION GOWARD FIELD AMENDMENT FOR LIBRARY EXPANSION
- MM ACTON MEMORIAL LIBRARY EXPANSION
- NN *Deleted by Bos 1/30/96*



- OO REPURCHASE CEMETERY LOT
- PP *Deleted by Bos 1/30/96, duplicate of priority list*
- QQ *Deleted by Bos 1/30/96, duplicate of priority list*
- RR *Deleted by Bos 1/30/96, duplicate of priority list*
- SS STREET ACCEPTANCE
- TT TOBACCO VENDING MACHINE BAN
- UU SMOKING IN PUBLIC AREAS
- VV CREATION OF SEWER USE DISTRICT
- WW ACCEPTANCE OF MILL CORNER PARCELS LA, 2A & 2B
- XX ADULT USES, SEXUALLY ORIENTED BUSINESSES
- YY NURSING HOME AND FULL SERVICE RETIREMENT  
COMMUNITY
- ZZ GROUNDWATER PROTECTION DISTRICT BOUNDARY  
DETERMINATION
- AAA NON-CONFORMING LOTS, USES IMPROVEMENTS;  
EXEMPTIONS
- BBB SITE PLAN SPECIAL PERMIT AT 500 SQUARE FEET
- CCC CORRECTIONS, CLARIFICATIONS AND MINOR ADJUSTMENTS
- DDD CHANGES TO KELLEY'S CORNER DISTRICT USE  
REGULATIONS
- EEE DIMENSIONAL AND DESIGN PROVISIONS FOR THE KELLEY'S  
CORNER DISTRICT
- FFF KELLEY'S CORNER MULTIFAMILY DISTRICT
- GGG PARKING AND DRIVEWAY REQUIREMENTS IN THE KELLEY'S  
CORNER DISTRICT
- HHH WALKWAYS AND BIKE WAYS
- III CHANGES TO KELLEY'S CORNER DISTRICT BOUNDARY
- JJJ INCREASE THE GENERAL INDUSTRIAL DISTRICT
- KKK CHANGE THE BOUNDARIES OF THE OFFICE PARK 2 (OP-2)  
DISTRICT
- LLL CHANGES OP-2 DISTRICT USE AND DIMENSIONAL  
REGULATIONS
  
- MMM ADOPTION OF SEWER BYLAW *(added in the 1/29/96 update)*
- NNN ACCEPTANCE OF LAND GIFTS *(added in the 1/31/96 update)*
- OOO FIRE DEPARTMENT OUTSIDE DETAIL *(added in the 2/2/96 update)*
- PPP STRAWBERRY HILL ROAD EASEMENT - DUNLAP, YOUNGMAN *(added by bos 2/13/96)*

February 23, 1996

**TO:** Board of Selectmen

**FROM:** William C. Mullin, Chairman

**SUBJECT:** Selectmen's Report

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**AGENDA  
Room 204  
FEBRUARY 24, 1996  
9:00 A.M.**

**I. CITIZEN'S CONCERNS**

**II. PUBLIC HEARINGS & APPOINTMENTS**

NONE SCHEDULED

**III. SELECTMEN'S BUSINESS**

1. **BUDGET REVIEW** - Discussion and decisions on balance of Priority Items and any remaining Budget issues.
2. **WARRANT** - Discussion and decisions on Warrant for Annual Town Meeting. Enclosed please find a copy of the latest draft dated xxx for Board review and discussion.

**IV. CONSENT AGENDA**

**V. TOWN MANAGER'S REPORT**

**VI. EXECUTIVE SESSION**

**MEETINGS**

**Monday, February 26 at 7:00 P.M. - Jr. High School Library, Joint Board Meeting**

**Tuesday, February 27, 1996 at 7:30 P.M. - Room 204, Board of Selectmen**

**Wednesday, February 28 at 7:30 P.M. - Room 114 Jr. High School, ALG Meeting**

**Wednesday, March 27, Fincom Public Hearing on Budget**

### **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.

March 12

March 26 (after 8:00)

Pcc/FEB24.DOC