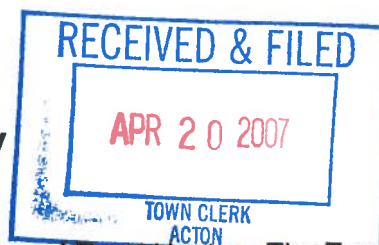


BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

November 27, 2006

Acton Memorial Library
7:00 P.M.



Present: Chairman Foster, Andrew Magee, Lauren Rosenzweig and Dore Hunter. The Town Manager and Assistant Town Manager were present. The meeting was televised.

CITIZENS' CONCERNS

None

PUBLIC HEARINGS & APPOINTMENTS

In an attempt to speed the meetings along, Walter discussed his revision to the meeting operation. Walter noted that he would be trying to keep to the timed appointments on the schedule. To that end, he asked all presenters to keep to the allotted time, and that the Board not repeat items that have already been mentioned by another Board member.

OPERATIONAL MINUTE – Don reported on the brown water issues. There was a break in the Hosmer Street area and they sent out a CTY message. This is a Water District issue and he urged that residents call the Water District. Don updated the Board on the condition of the ceiling in the Faulkner Room; it appears the ceiling is sound at this time.

OUTDOOR LIGHTING EDUCATION COMMITTEE – OVERSIGHT MEETING

Committee members Bernie Kosicki, Martin Gratz and Mr. Green were present. Bernie said that he would report on three issues. Education, Street Lights and review of 2004 Outdoor Lighting Bylaw. Bernie outlined the activities of the committee to educate the public. They have been reviewing the replacement of street lights. The new lamps are more efficient than the old ones, and this will save money lighting them. They would like to have sample street lights installed. OLEC will review sample lights and to pursue with Nstar some abatement possibilities. Bernie updated the Board on the need to review the Bylaw and to see how well the bylaw is working.

Dore' felt the inventory list was very detailed and provided a very valuable document that would have cost a significant amount of money if it had not been done by the Committee.

Andy said he would support the \$5,000 in the Municipal Properties budget for the study.

Lauren thanked the Committee; she is the liaison and has attended several star parties. She feels this is a very positive change. Lauren noted that compliance has cost the developers more money.

Walter thanked them for their work and wanted to hold on the study and felt that NStar should be funding this study. Walter said the Board will be speaking to Nstar about this at a Board meeting with them in the future.

SEWER CONTAMINATION ISSUES –
(To be discussed at a later Board Meeting)

COMMUNITY PRESERVATION COMMITTEE – OVERSIGHT MEETING

The CPC administers the CPC funds in Acton. We have been receiving an 100% reimbursement from the State. Catherine Coleman gave an overview of the process. They have an open forum usually in the Fall. They had it this year and had a question and answer session. CPC will be finalizing their recommendations for Feb 07. The committee members are deliberating on several items currently before them. They have 1.4 million to award. They have more requests than funds this year. Catherine said that they have very compelling projects to consider in this cycle. In the last two cycles, 2.1 million in State matching funds were received. The Board was asked about how to handle projects that are approved and have not accessed their funds before the three year limit is up.

The committee asked about an ombudsman in town hall.

Lauren thanked them for their time. Lauren discussed the education of the citizens about the use of the funds. Lauren asked them to keep an eye on any changes to the program at the State Level, and noted that there had been an attempt to take CPA Funds.

Dore' would support a paid staff member to provide the support to the committee. Dore' said that we would try to look at staffing next year. Dore' complimented the committee on their performance.

Don Johnson was asked about sunset bylaw and ombudsman. The provision says it lapses after 3 years if they have not begun the project. The key is that the bylaw wording states, once it has begun it does not sunset automatically.

Ombudsman, he would not recommend one, the questions are better answered in house and it would take a great deal of educating of a person to step in. What we are doing now, works. Walter noted he had a different opinion of the Ombudsman; we have growing demands on staff time. Walter wanted to discuss this or allocate money for administration from the CPA Funds. Walter asked that CPC look into this as a committee.

Terra Friedrichs asked what the limit was for administrative support. It is noted that up to 5% can be used. Terra asked when we would be going to a 3% surcharge. Walter said we could double our matching funds and they should consider it.

SELECTMEN'S BUSINESS

STATE OF THE TOWN, BOARD RECAP DISCUSSION

Lauren noted that she thought it went well, and was happy to hear the comments about the Design Review photo boards. She noted that it would be better attended if not scheduled before the holiday.

Andy echoed Lauren's comments and he said it was a good and open discussion.

Dore' noted that he felt it went well and was surprised about the Douglas School question raised from the floor.

Walter commented on the capital budget and building of sidewalks. There is deep political support for sidewalks. Walter noted the 990 issue was presented by the school, and noted the robust discussion on this issue.

ACTON LEADERSHIP GROUP (ALG) UPDATE

Walter gave a brief update to the Board. The ALG meeting discussed the additional Chapter 70 funds and how to use them. The Town will be proposing that we share the 30.8 percent of those additional funds.

Walter said that they will be discussing the budget for next year. Walter said they will have revenue projections for the next ALG meeting. They are pursuing the Capital Budget funding mechanism. The Town will be asking for a larger portion of the available funds. Lauren would like to revisit if there is any room in the budget to make up for the severe cuts we have taken. Walter discussed the 990 issue and that the school is standing up to this. We will need to manage this issue.

MIDDLESEX RETIREMENT SYSTEM UPDATE

Walter gave an overview of the budget increases and the governing body for Middlesex PERAC. PERAC has held hearings on the members who have breached their duty to the cities and towns. Acton has been active in this and have let our State Legislators know what is going on. They are proposing to put the Middlesex Retirement Board in the hands of the fund managers at the State. Walter had some questions about the folding the Towns in to the State Retirement System.

Mr. Driscoll has submitted his resignation. Mr. Driscoll had hired a family member or friend to do construction on a building that the MRB owns. The General contractor has withdrawn also.

Lauren disclosed she is a customer of Goldman and Sachs who are cited in the investigation. Lauren asked about the costs and benefits of the different retirement programs. Walter asked the Town Manager to present options and rating to the Board for review, and to strongly urge our legislators to get involved in this.

Andy felt we should opt out as soon as possible.

POLLING PLACE DISCUSSION

(Next Meeting)

WATER RESOURCES ADVISORY COMMITTEE (WRAC) UPDATE

Andy and Lauren gave a brief up date on the mission of the committee. They are to manage the financing of the Sewer project. Andy noted two areas for potential sewers, and several events for the committee. They have had tours and presentations and are booking trips to a package plant. They are looking at capacity of our Waste Water Management Program. The Sewer Expansion Committee has raised issues about neighborhoods who may want sewers and those that may not want or need sewers. The committee and the subcommittee are still meeting and may bring a place holder for the warrant to provide funding of sewer expansion.

Lauren described her work with the sub-committee. The Committee will be talking about the next step of education and outreach.

RECENT POWER OUTAGES

Walter spoke about the phone calls to his home from angry citizens. Walter asked that we invite the power company to an upcoming meeting. Dore' said that we should get more feedback from the power company, a person or recording letting people know a ball park time for the outage duration. Lauren agreed with Dore'.

Andy spoke about the double poles and how far behind they are in the normal upkeep. Lauren asked that we send a letter to NStar about putting a recording on their phone. Don asked if the Board wanted to have NStar in to discuss the issues experienced in Acton. Walter said that we send the letter than ask them to come in to follow up.

BOY SCOUT OF HONOR, MATTHEW FINLEY

Peter volunteered for this Court of Honor

PLANNING BOARD APPOINTMENT, ALAN MERTZ

LAUREN ROSENZWEIG – Moved to appoint Mr. Mertz to Full Member to fill the unexpired term of Mr. William King, for a term to expire 6/30/09 ANDREW MAGEE – second. UNANIMOUS VOTE

WOODLANDS AT LAUREL HILL, 5TH AMENDMENT TO THE MEMORANDUM OF AGREEMENT, CONSERVATION RESTRICTION AND REGULATORY AGREEMENT

The Board discussed the agreement before them. Andy had noted that he had not seen the Conservation Restriction paperwork. He was very concerned about the document and the lack of conservation restriction in it. The only way he would agree to sign would be to have them cross out sections and then he would sign the documents. Walter asked the Town Manager about having counsel in to discuss this with the Board and to bring drawings for the Board's review.

DORE' HUNTER – Moved to Approve the Regulatory and Affordable Housing section.

LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

DORE' HUNTER – Moved to approve the Fifth Amendment. LAUREN ROSENZWEIG – second. – UNANIMOUS VOTE

OTHER BUSINESS

DISPOSAL OF VEHICLE, 1952 WILLIS JEEP The Board has been asked to donate the jeep to the National Park service. The Selectmen would want it to be awarded to the Navy Yard, and to have them maintain it and that the Town of Acton has right to use the jeep for parades. The Board also asked that a plaque noting that it is loaned to them by The Town of Acton. LAUREN ROSENZWEIG – Moved that the Town approach the Navy Yard to restore the Jeep to as road worthy as practical, and Acton maintain the right to use it once or twice a year for Public Ceremonies, and attach a Plaque stating it is a gift/loan from the Town of Acton. ANDREW MAGEE – second. UNANIMOUS VOTE

Lauren reported on her attendance at the 495 committee, the Library Planning Meeting at the Library and the Shuttle project.

Andy spoke about the Open Space Committee and the suggestions to recognize private citizens who put Conservation Restrictions on their property; Peter is working on that letter.

Dore' updated the Board on his meetings with MBTA

LAUREN ROSENZWEIG – Moved to send the prepared letter to DEP and EPA regarding the W.R. Grace (Acton Plant) remediation Plan. DORE' HUNTER – second. UNANIMOUS VOTE

CONSENT AGENDA

DORE' HUNTER - Move to approve with the Jeep disposal taken off. ANDREW MAGEE - second. UNANIMOUS VOTE

TOWN MANAGER'S REPORT

None

EXECUTIVE SESSION

There will be a need for Executive Session. Lauren Rosenzweig Moved to enter into Executive Session to discuss Litigation Strategy. Roll Call taken All AYES.



Recording Secy



Clerk, Board of Selectmen

April 17, 2007
Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA
NOVEMBER 27, 2006

The Acton Memorial Library
7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:02 OPERATIONAL MINUTE

The Town Manager will give the Board a brief update on various topics.

2. 7:15 OUTDOOR LIGHTING EDUCATION COMMITTEE (OLEC) OVERSIGHT MEETING

Enclosed please find materials in the subject regard, for Board consideration.

3. 7:30 SEWER CONTAMINATION ISSUES

School Representatives will be in to discuss this issue with the Board. Enclosed please find materials in the subject regard.

4. 8:00 COMMUNITY PRESERVATION COMMITTEE OVERSIGHT MEETING

Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

5. STATE OF THE TOWN, BOARD RECAP DISCUSSION

No materials included.

6. ACTON LEADERSHIP GROUP (ALG) UPDATE

No materials included.

7. MIDDLESEX RETIREMENT SYSTEM UPDATE

Enclosed please find materials in the subject regard, for Board consideration.

8. POLLING PLACE DISCUSSION

Enclosed please find materials in the subject regard, for Board consideration.

9. WATER RESOURCES ADVISORY COMMITTEE (WRAC) UPDATE

Enclosed please find materials in the subject regard, for Board consideration.

10. RECENT POWER OUTAGES

Enclosed please find materials in the subject regard, for Board consideration.

11. BOY SCOUT COURT OF HONOR, MATTHEW FINLEY

Enclosed please find an invitation to Mr. Finley's Court of Honor to be held on December 20, 2006, for Board assignment.

12. PLANNING BOARD APPOINTMENT, ALAN MERTZ

Enclosed please find materials in the subject regard, for Board consideration.

13. WOODLANDS AT LAUREL HILL, 5TH AMENDMENT TO THE MEMORANDUM OF AGREEMENT, CONSERVATION RESTRICTION AND REGULATORY AGREEMENT

Enclosed please find materials in the subject regard, for Board consideration.

14. OTHER BUSINESS

IV. CONSENT AGENDA

15. DISPOSAL OF VEHICLE, 1952 WILLIS JEEP

Enclosed please find materials in the subject regard, for Board consideration.

16. CONDOMINIUM CONVERSION DECISION, RAILROAD REALTY TRUST, AMERICAN HOUSE CONDOMINIUM 19 RAILROAD STREET.

Enclosed please find materials in the subject regard, for Board consideration.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

17. THERE WIL BE A NEED FOR 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.

December 11	January 6, Budget Meeting	January 22, 2007
December 18	January 8, 2007	February 12 & 26

GOALS 2006-2007

1. Morrison Farm Development Recommendation (Foster)
2. Monitor Labor Negotiations (Ashton)
3. Policy Review/Improve Inter-Board Communication (Foster)
4. ALG process to be used for purpose of Budget Planning for FY08 (Foster/Magee)
5. Middlesex Pension Alternatives (Ashton)