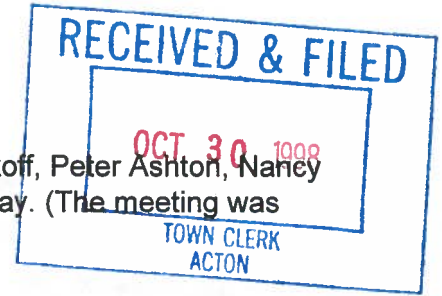


SELECTMEN'S MINUTES
April 28, 1998



Present: F. Dore' Hunter, Wayne L. Friedrichs, Herman Kabakoff, Peter Ashton, Nancy Tavernier, Town Manager Don Johnson and Assistant Mgr. Murray. (The meeting was televised)

CITIZEN'S CONCERNS

None Expressed

PUBLIC HEARINGS AND APPOINTMENTS

WESTFORD LANE #1/22/98-361

Bruce Stamski spoke as the Engineer of this project. He indicated that all approvals have been obtained. They will pave and put in a shoulder along the road way. Westford Lane services about 13-14 homes located in Westford. The proposed building under bylaw will use only 50% of the available lot for the new building and pavement and leave the remaining in Open Space. Herman asked about a land swap with Kirk Ware and whether or not it was essential to this project moving forward. Mr. Fenton replied that it was a swap to benefit Mr. Ware's potential uses on his property and it would be conditioned prior to the deed signing. Herman questioned the Planning Boards decision which used the sidewalk funds from this project to complete the Charter Road Sidewalk. It was noted by Mr. Fenton and other Board members that the completion of Charter Road was a very important factor. It was noted that to install a sidewalk during construction was far more economical than doing it after the fact and therefore the length was reduced to 350 feet to reflect this.

Wayne said he is in support of the completion of this piece of sidewalk on Charter. It was noted that TAC is formulating a sidewalk policy around the \$160,000 appropriation. He urged the Planning Board in the future to talk with TAC and to develop a financial analysis in regard to sidewalks.

Herman Kabakoff Moved to take under advisement. - NANCY TAVERNIER -
Second. UNANIMOUS VOTE. Chairman Hunter noted that no additional evidence could be taken at the close of this meeting

JIM ALLISON

Mr. Allison was present to discuss the Beaver problem at Conant Brook. The standing water is a site for mosquito's, and other organisms that carry germs, the trees are dying and the property values are declining. He has had not cooperation from Fish and Game. He finally go the permit to trap and the Town needs to develop a strategy and needs to get the water level down. The 2 x 2 foot breach that he was granted is not large enough and the beavers will be back in one day. Don Johnson outlined his desire to hire a trapper and wanted to get Board approval for this as funds were not reserved for this

purpose. The Board agreed he should "scratch" up funds to seek a resolution to this immediate problem.

Tom Tidman reported that of the 12 or so locations in Town with a problem, 8-9 are on town property. Nancy offered to get the media involved and felt that would get the point across to Governor Cellucci of the magnitude of this problem, she wanted to get the State to tear down the dams. She asked the Town Manager to draft a letter to the Governor to ask for his intervention with regard to this serious problem. She was annoyed that the state has not been cooperating and that septic systems are in peril which would result in the abandonment of homes.

HERMAN KABAKOFF - Moved to authorize the Town Manager to expend monies to affect a program to trap beavers at the property in the vicinity of the Allison's. NANCY TAVERNIER - Second. UNANIMOUS.

**ACTON TOYOTA
ABOVE GROUND STORAGE OF INFLAMMABLES
137 GREAT ROAD**

NANCY TAVERNIER - Moved to approve conditioned upon compliance with Board of Health's requirement for plans on secondary containment. PETER ASHTON - Second. UNANIMOUS VOTE.

**WILLIAM MCINNIS
MOTOR OIL RECYCLING**

Mr. McInnis presented his idea with regard to the used Motor Oil collection area at the transfer station. He understood the noted security and containment issues were valid. Dore' felt that one could park outside the gate and walk the oil to the existing location. He felt that the attendant could still oversee the process to insure that only waste oil was being deposited. It was suggested that the new policy could be given press in the municipal quarterly. The Town Manager was asked to implement the program as soon as possible.

SCHOOL SPACE ISSUE

Mr. Hunter read an excerpt from the Board of Library Trustees outlining that Acton would lose the grant funding if the library were to be used for any other purpose. Bob Ferrerra spoke about the use of the library for any other purpose and how it would put them in an awkward position in addition to the layout problems that would be encountered. Mr. Hunter was concerned about ramifications of changing direction and the contract issues as well as money issues for that would result from a change in use. He favored looking into the re-use of the Hardware store when the library relocated back to the new library.

Lees Stuntz said that she had no idea financially about the costs but she felt more money would be needed to conduct a feasibility study. She noted that there is a process to address the need or more space, and it is in place, but thanked Sidney and FinCom for looking at overcrowding problems and suggesting solutions. She favored a Sept. Special

Town Meeting. Dore' asked them to be looking toward "scratching up" some funds at year end for the study.

Tom Mackey explained that Sidney as asking that we look to other sites to meet space needs. He said it was not the intention to pirate the library for school use. The Fincom will support funding the school committee's request for a feasibility study. It was noted that it was the first time in 20 years that anyone on FinCom was offering to bring money. Tom said this would give an opportunity to bring back alternatives for review.

Herman spoke about Sidney's letter to the paper and asked for endorsement from the Major Boards.

Lees spoke about school educational policy. It is felt there is a problem with moving five year olds twice. She invited Sidney and others interested to the May 14, 1998 School Building meeting in room 114. They have been in discussion for over 4 years about rental and retrofitting locations for school use including some that Johnston has mentioned. She felt that Sidney's estimate for the feasibility study is too low.

Ann Chang spoke about the suggested change to the 2001 Plan. She did not feel that "Thinking out of the Box" was good in this situation and felt Sidney Jumped out of the box and should have asked more questions and realized that a process was already in place.

Nancy reminded them that a Reserve Fund Transfer would have to be approved before June 30th or un-obligated money would return to Free Cash. The paperwork would have be prepared and submitted to the Finance Committee in order for them to make their recommendation before the 30th.

Peter asked about the status of Sidney's Letter and asked what Sidney was looking for in regard to the letter. Herman said that he was looking for endorsement from the boards mentioned on the first page. Dore' suggested that Government by letters to the paper was not good process and declined the suggestion that the Board should agree sign the letter.

SELECTMEN'S BUSINESS

NESWC Caucus Meeting - Dore' reported on the meeting and success of the interchange that took place. It was noted that Acton was very well represented by not only staff but legislators and aids. Dore' noted that if Senator Tar gets a delay on the implementation of the clean air legislation to after 2005 it would benefit the communities. He felt we made a good statement and the meeting was productive.

Board Reorganization - Dore' thanked the Board and offered his appreciation to staff for assistance during his term.

The Board reorganized as follows: DORE' HUNTER - Moved to nominate Wayne Friedrichs as Chairman. HERMAN KABAKOFF - Second.

WAYNE FREIDRICHS moved to nominate Herman Kabakoff as Vice Chairman. DORE' HUNTER - Second.

WAYNE FRIEDRICHS- moved to nominate Nancy Tavernier as Clerk - DORE' HUNTER - SECOND. UNANIMOUS VOTES

New London Pizza Automated Device Licenses- DORE' HUNTER - Moved to approve two games. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Goals for Upcoming Year - Wayne stated that he had several goals he would be addressing during the upcoming year.

- a. Develop Analysis for development
- b. Help school solve space needs
- c. To extend ALG out 10 to 20 years
- d. Master Plan review
- e. Review policies and procedures of other major boards

Meeting Schedule - The board discussed the Board's schedule for the next few months. They planned meetings until the end of September. They will discuss the extended meeting schedule at the next meeting. Staff was asked to look into space at the High School for the Fall town meeting.

CONSENT AGENDA

NANCY TAVERNIER - Moved to approve. PETER ASHTON - Second- UNANIMOUS VOTE.

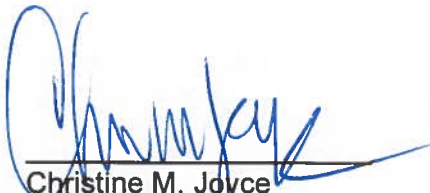
TOWN MANAGER'S REPORT

Bond Discussion - Don and John reported on the Town's Bonding. Don reported that we compare well with other communities. The 6.6 Million dollar bonds were bid on by seven bidders with the net cost being 4.75% and we moved up to an Aa2 rating. Moodys needs to see more capita income, higher fund balance, greater untaxed capacity over several years and future debt in order to move the rating up higher.

The Board adjourned at 10:45 P.M.

Clerk

Date



Christine M. Joyce
Recording Secty.
Doc:Min4/28/98

April 24, 1998

TO Board of Selectmen

FROM: F. Dore' Hunter, Chairman

SUBJECT: Selectmen's Report

AGENDA

**Room 204
April 28, 1998
7:30 P.M.**

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. **7:35 WESTFORD LANE #1/22/98-361** -Continuation of site plan hearing previously scheduled for March 17, 1998.
2. **7:45 JIM ALLISON** - Enclosed please find correspondence from Mr. Allison and Town Staff related to the beaver problem in Mr. Allison's neighborhood.
3. **8:00 ACTON TOYOTA - ABOVE GROUND STORAGE PERMIT** - Enclosed please find application and staff comment regarding the request for Above Ground Storage at 125-137 Great Road for Board action.
4. **8:15 WILLIAM MCINNIS** - Mr. McInnis has asked for an opportunity to address the Board regarding recycling materials.
5. **9:00 SCHOOL SPACE ISSUE** - Library representatives will be in to discuss questions regarding use of the memorial library building for school space needs.

III. SELECTMEN'S BUSINESS

6. **Discussion of recent NESWC Caucus hearing.**
7. **Board Reorganization**
8. **Acton New London Style Pizza** - Enclosed please find a request and staff comment regarding the placement of two automated amusement devices at New London Style Pizza on Massachusetts Avenue for Board review.
9. **OTHER**

IV. CONSENT AGENDA

- 10. Annual Certification of LIP Homes** - Enclosed please find the letter that is sent each year to certify the status of LIP homes for Board signature.
- 11. Accept Minutes** - Enclosed please find minutes of March 3 and 17, 1998 and April 7, 8, 9 and 10 1997 for Board action.
- 12. Acton Lions Club** - Enclosed please find the application for the Annual Lions Club Fair for Board action.
- 13. Chez Claude** - Enclosed please find a request for a one-day liquor license in conjunction with Mother's Day for Board action.
- 14. Arboretum Sign** - Enclosed please find a request and staff comment regarding placement of a temporary Arboretum Day announcement sign on the permanent sign for Board action
- 15. Federal Excess Property Program** - Enclosed please find a request from the Fire Chief and supporting application for Board review and action.
- 16. ACCEPT GIFT** - Enclosed please find a request from the Police Department to accept a gift of \$250 from Capizzi and Co. to the Dare Gift account for Board acceptance.

V. TOWN MANAGER'S REPORT

- 17. BOND BIDS** - The Town Manager will report the status of bids received Tuesday, 4/28/98, for the bonds being offered by the Town.

VI. EXECUTIVE SESSION

MEETINGS

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.

May 5, 1998
Northstar Site Plan
Coles Brook Continuation

May 19, 1998