

SELECTMEN'S MINUTES

NOVEMBER 23, 1999

Present: Herman Kabakoff, F. Dore' Hunter, William Shupert, Wayne Friedrichs, and the Town Manager and Asst. Town Manager. Peter Ashton was absent (The meeting was televised)

CITIZEN'S CONCERNS

PUBLIC HEARINGS AND APPOINTMENTS

PIZZA HUT CHANGE OF MANAGER

CHARLOTTE SMITH – Pizza Hut Change of Manager Beer and Wine –She is 22 years old and has been with the company almost 3 years. She has been working under the company's alcohol policy as well as the one the Town has on file for the Acton store. Servers are all at least 18 and they cannot give more than one drink at a time to an individual, or three per visit. Herman reminded her that we take these alcohol-serving licenses very seriously.

He hoped that she and the staff would make arrangement to attend a TIP's Course. WAYNE FRIEDRICHS – Move to Approve - TREY SHUPERT –Second. UNANIMOUS VOTE. Don was asked to send letter to their corporate offices urging them to have their employees take the Tips Course.

CLASSIFICATION HEARING – David Brown of the Assessors made the annual presentation on tax classification. He went over the different shifts between residential and commercial taxpayers. He spoke about residential exemptions and Open Space designation as well as the small commercial exemption. To date we have not pursued these, as they are too burdensome to perform.

He continued his overview on what the Board needs to make their decision on the shifting of taxes from residential and commercial or continuing with the uniform rate. Herman wanted to take the Open Space, residential exemption and Small Business Exemption issues off the table in the motion. DORE' HUNTER –Moved to continue with our standard practice regarding no action or adoption of the Open Space, Residential Exemption and the Small Business Exemption. WAYNE FRIEDRICHS – Second. UNANIMOUS VOTE.

Dore' read Peter's memo regarding his opinion regarding the shifting/non-shifting of the tax burden.

Wayne supports a level tax rate. He does not think a split tax rate makes a difference in having Commercial ventures come to Acton. He agrees with Peter that it is not clear whether the shift will retain or attract commercial. He encouraged the Board to

vote to remain at the uniform rate.

Herman was going to advocate for a 5% tax shift this year. He noted that of all the time developers have come to us, an extra thousand had no material affect on their coming to town. He said he is a member of EDC and when people come to them they look at location, location and them demographics. He said we are going to have sewer and given the fact that we have had a major override pass for schools we will see the affects on the residential tax bill. He said it would send a message to the voters that we are trying to lessen the tax burden if we voted the split. He did not feel that it would have any effect on whether businesses will relocate to Acton.

Dore' said Peter's memo asked for more data and felt that it should be done.

Dore' noted he has voted on each side of this. He noted the argument that we will be seen as a business unfriendly town. He feels if we do this we better have it articulated and prepared to look at history of other towns when they first split or reduced a split. He thinks we should not do it on the spur of the moment and it is better to get information in front of the Board so they can make this change. He said he was open to consider this for next year so that we can get input.

John Prendiville said that when they went looking for a location the tax rate would come in last as a consideration. Location is the driver, he said whatever you set the rate at, it would not make a difference

Dore' asked if this decision could be put off until the December 7th meeting. Staff said no as we have to get the tax bills out.

Trey Shupert questioned our rate in 93 and 20.4% in 96 or 97 we went with a unified rate for purpose of listening to the commercial taxpayers. Herman said we have gradually gone unified.

Bill Lawrence noted his displeasure with the consideration of Herman's motion regarding the proposed shift.

Dore' said he could support but not without notice to all involved. Trey also felt that large companies do not move to a place for tax rate he is uncomfortable about making this decision without citizen participation.

Wayne said it was hard to get a cause and effect data on the split, it is a market event.

HERMAN KABAKOFF - Moved a 5% shift to the CPI this coming year. DORE' HUNTER – Second. Herman Aye, 3 No - Motion Failed

DORE' HUNTER – Moved to keep the tax rate uniform and level for this year. WAYNE FRIEDRICHS – Second. 1-3 Motion passes Herman No-

SENATOR PAMELA RESOR – Pam said that she is here to find out what things the Board needs from her in the upcoming year. She also gave an overview on the Sewer

funding and bridge repairs in the Supplemental Budget. As she has visited her communities she has heard of transportation issues and Route 2 problems. She said there is a slow down in design at the State level. She said the 495 studies and committee review is being very fruitful. She noted the upcoming MAPC meeting that will discuss the 495 issues.

Herman thanked her for her efforts regarding the NESWC Funding and the SRF Funding. He wanted personally to indicate his displeasure with the MBTA Assessment. She said they discussed it and were assured that Senate Chair of Transportation will look again to recognize the service level. Senator Hayward said it might be done in the Transportation Bond Bill. Herman also wanted a second track to Littleton and a parking lot in Littleton looked at. She said that MBTA has handed it to Highway for environmental review but did not know when hearings would be. Herman thanked her for her trip with John to Washington to obtain Federal money and asked that she continue their effort to obtain federal money

Dore' thanked her for her help in SRF. He asked about Education Reform, she said it is a key issue over the next year. He also spoke about attending the Hearings and his frustration in attending hearings waiting to speak and urged people to have written statements prepared. He felt that people need to know about how they should conduct themselves and how to react in hearings; there is a need for the practical rules of engagement for the "John D. Citizen" who wanders in. Pam said every committee develops their own rules, but felt that an across the board change could be encouraged.

SELECTMEN'S BUSINESS

GATES SCHOOL PTO REQUEST – Herman noted the requests for gifts from the Board and NARA for the Gates School auction. Don explained that we cannot give to Charities and he urged the Board to thank them for their idea, but that we cannot use public funds in this manner. Dore' said that they should be commended but we cannot participate. Trey wanted to make note that we are not in position to fund them but that perhaps a citizen would come forward to make this donation. DORE' HUNTER Moved with regret that we deny the request for reasons stated and to remind any of the other boards and committees that we cannot use public funds for this. WAYNE FRIEDRICHS – Second. UNANIMOUS VOTE.

COMMITTEE DISCLOSURE FORM ABCC

DORE' HUNTER Moved to Accept the disclosure without the waiver – WAYNE FRIEDRICHS – Second. UNANIMOUS

OTHER BUSINESS

REGIONAL AIDS CONSORTIUM – World Aids day December 1st HERMAN KABAKOFF – Moved to proclaim Dec. 1 Worlds Aids Day in Acton. DORE' HUNTER – Second. UNANIMOUS VOTE.

NARA PARK PLAQUE - Herman read the plaque awarded to NARA for Design.

Audubon Hill - Trey went over the issues he is handling with regard to resolution for this issue. He noted that the Association withdrew their article at last year's Town Meeting. Trey said he had been tied up by the Sewer Project and he will be now addressing this issue. He wanted to have an article put on the April warrant regarding the Senior Center. Herman thought it is a good idea. A place will be held on the upcoming Annual Town Meeting to address this issue.

DORE' HUNTER – Moved to Close the warrant at close of business on the December 30th
HERMAN KABAKOFF – Second. UNANIMOUS VOTE

Dore' spoke about the twin school choice of OMR and Stella Corporation working together. He feels they are off to a good start. He did note however, that their past problems were discussed at the School Meetings.

CONSENT AGENDA

NASHOBA ROAD - Trey recommend that we proceed with recommendations A-D. Don will research this issue further.

Wayne felt we should install 4-way signs and noted they worked very well in the Spruce Street area. Don said that we should move forward to adding another sign. He urged them to try the second Sign.

TREY SHUPERT - Move we implement items A-C as outlined in the Nov. 1st Engineering report and additionally we investigate and start procedures to implement item D. WAYNE FRIEDRICHS – Second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

TRAFFIC ISSUES - Don let them know that we have a second and third issue about signage in Indian Village. He said we now have many children in that area and it is an older sub-division. He will have the safety officer look at the whole area.

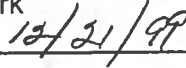
BUDGET - They have finished the budget meetings and now working toward Dec. 21 meeting for the Board's presentation.

STREET CUT ISSUE – John outlined the current bylaw and they have suggested we change that policy. That the Engineering could issue permits with 5 day forecast. They will change the bond from \$1,500 to \$4,500 and all paving must be made completed within 36 hours. DORE' HUNTER – Moved to Approve. WAYNE FRIEDRICHS – Second UNANIMOUS VOTE.

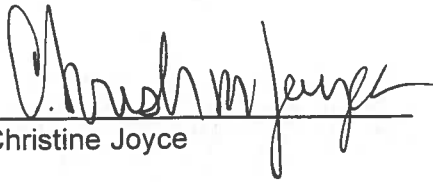
DORE' HUNTER - Move we go into Executive Session to discuss collective bargaining.
WAYNE FRIEDRICHS – Second. All Ayes



Clerk



Date



Christine Joyce

November 19, 1999

TO: Board of Selectmen

FROM: Herman Kabakoff, Chairman

SUBJECT: Selectmen's Report

AGENDA
NOVEMBER 23, 1999
7:30 P.M. - Room 204

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. **7:31** **CHARLOTTE SMITH – CHANGE OF MANAGER – PIZZA HUT BEER AND WINE** – Enclosed please find Ms. Smith's paperwork to replace Samantha Bird as Manager.
2. **7:35** **CLASSIFICATION HEARING** – Enclosed please find materials prepared by staff for your review.
3. **8:45** **SENATOR PAMELA RESOR** – Will be in to update the board and address any concerns the Board may have.

III. SELECTMEN'S BUSINESS

4. OTHER BUSINESS

IV. CONSENT AGENDA

5. **ACCEPT MINUTES** – Enclosed please find minutes from the Meetings of October 26 and November 2, 1999 for Board acceptance.
6. **ACCEPT GIFT** – Enclosed please find a request to accept a donation from the West Acton Playground Committee that was received from the proceeds of West Acton Octoberfest Committee for Board acceptance.
7. **ELIZABETH WHILE FUND** -Enclosed please find the recommendations for this years grants from the Elizabeth White Fund for Board action.
8. **COMMITTEE DISCLOSURE STATEMENT** - Enclosed please find Ms. Jean Butler's Disclosure Form announcing her relationship to two individuals for whom she is an agent and who may receive a grant from the Acton Boxborough Cultural Council for Board signature.

V. TOWN MANAGER'S REPORT

VI. 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.

Dec. 7 Greg Niemyski – Interview for Assoc. Planning Bd. appointment

Dec. 21

January 4, 2000

January 18, 2000

February 1, 2000

FY 2000 GOALS

1. Resolve the Audubon Hill problem/issues (Shupert)
2. Establish or reconstitute a Computer Advisory Committee for Municipal issues (Hunter)
3. Review the structure and organization of the ALG and establish a definite, periodic meeting schedule (Kabakoff)
4. Develop a comprehensive Beaver Nuisance policy (Friedrichs)
5. Improve communication among the various boards, particularly Fincom, SC and BOS. This seems to have been lacking to some extent during the last year (especially ALG process) (Kabakoff)
6. Continue to search all alternatives for a viable sewer solution that is timely and fiscally workable (Hunter/Shupert)
7. Form a task force to investigate ways of achieving greater coordination, efficiency and utilization of resources between the schools and the town (Ashton)
8. Continue the work of the Senior Tax Relief task force and also investigate ways of assisting others who may need tax relief (Ashton/Hunter)
9. Develop early on an ALG plan and budget; i.e. have general agreement on budgetary parameters by October/November before formal budgets are developed. Continue to update, refine and modify as needed the five year budgetary plans which we initiated this year (Kabakoff)
10. Work with the Planning Board to implement the goals, objectives and strategies of the Master Plan update (Ashton/Shupert)
11. Conclude the work of the Kelley's Corner working group and bring to the Planning Board a final set of recommendations (Ashton)