



T. Clark

SELECTMEN'S MINUTES January 5, 1999

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

CITIZEN'S CONCERNS

Steve Lewis - Carlton Drive former Board Member of Selectmen, was present to express concern about actions taken by the Board recently. The first is the Board is planning on holding STM to reconsider vote taken at another meeting. Chairman Friedrichs advised him that the board would be canceling that meeting this evening. Mr. Lewis stated that the Board is reneging on promise made to town meeting about funding. The December meeting passed by unanimous vote a resolution and sense of meeting to proceed with the understanding that the project would not move forward if the State did not provide the no interest loan. He feels it is a severe breach of trust and hopes that they would not overturn that vote. He said the State is now saying they will be giving Acton the same priority and feels that the State will not come through with funding next cycle like they didn't this time. He did not want members of sewer district to take the financial risk if the Town proceeds with this. A betterment charge of 17,000 is outrageous cost and hopes that the board will delay the project. He asserted that a member of the Board withheld information from Board members and violated the town charter and state laws which state that individual Selectmen shall not represent the entire board, and asked for Mrs. Tavernier's resignation. Wayne noted that she had been given the authority to represent the Board in serving on the Sewer Action Committee. He said that all selectmen are assigned meetings and projects that they are representing the board. He further said that the Board has accepted her explanation and they have agreed she did nothing incorrect. They will have better communication in the future so that the appearance of non-communication is not made. Wayne noted that the funding was received in the amount of the original request. We have no intention to go forward without taking it to the voters. Steve said that there is one ethical thing to say and go to town meeting to vote to have the town vote to aspect risk of loss of grant. It is his belief that if you go to the Town meeting you will ask the residents in the district to assume the risk if loss if it fails again.

Dore' Hunter did not feel it was unethical to go back to Town Meeting. He said that the Board is not acting unethically and he does not know what the meeting will be doing at that time. He asked him to attend the January 21st meeting where Gotlieb will be answering questions.

Nancy noted that no one has contacted her about her role in communicating information and she finds that shocking. The chronology has been available to anyone wanting one. She agreed that she would have been wrong if the letter was sent to the Board of Selectmen, however, it was addressed and sent to the Health Director. She stated that she will not resign, she will leave with her head high after 12 years of service, and she has performed some good every day for this community. She noted that if she has made a mistake she was sorry; but that she would not resign just because Mr. Lewis was angry to be included in the sewer district.

Steve Lewis denied that he was only interested in the sewer project because it

affected him and again said that he felt she had performed illegally.

Don MacKenzie spoke about volunteering for the Town for over 30 years. It has given him a prospective of why it is a good town to live in. He feels all the committees work well and have never attacked people or demeaned each other. He said we have been able to be civil with issues that have been difficult. He feels that we are now faced with the issue of sewers and it seems to be dividing us. He would like to see us step back and address it in a civil and calm manner, he said we are not like other communities, and feels this issue is just another test and we will overcome it.

PUBLIC HEARINGS AND APPOINTMENTS

HISTORICAL COMMISSION

Victoria Beyer, Chairman of HC outlined the duties of the Historical Commission. They maintain a cultural resource list and it is on file in the Library. They continue to research buildings prior to 1940. They submit their information to the Inventory of Historic Assessment of the Commonwealth. They maintain not less than 3 and no more than 7 members. They prepare Acton a Second look publication and will update for the year 2000. They review subdivision and other things as they are brought over their desk. They address cart paths and demolition permits, prepare photos and answer new residents questions about the home they live in or want to purchase.

The failure to list the Acton High School on the inventory list was an oversight. They felt that they were remiss that they had not listed it earlier but felt it was an oversight. There may have been a timing issue however, it was just brought to their attention because of the press about that building that triggered its addition to that list.

Dore' asked if they could provide information about moth balling or preserving school buildings. He noted that maybe they could have a name change to HDC. She felt that would not be required, and felt it is getting better.

He asked if there were any books on the shelf about the Acton High School. Anita stated there is a move afoot by the state to recycle school buildings.

Herman asked to have the meaning of the list and what influences it had on demolition. He asked about the use of this list and what it did. They said that the list preserves the properties. She noted that Town Buildings are exempted by the demolition bylaw.

Jesse Liberty felt that there should be a full and open idea exchange. He did not want to lock into a direction that could not be taken.

Peter thanked them for coming in and also thanked Ann Forbes for clarifying the issues. He became involved because he had wanted to research the minutes, but was unable to find any recent ones on file with the Town Clerk's office. They said that they file them with the Library.

Nancy asked about the criteria for placement and noted that Town Hall was on but not the library. They said that they need to keep performing the tasks required to update the list on a continuing basis.

Anne Forbes HDC she thinks she knows were the minutes might be. She noted that it has gotten better in past year and she wants to make a plea to town and town staff to make sure the information gets in the right boxes. She wants to be sure that staff tries to correct this confusion.

Sidney Johnston has quick questions who pays to preserve a building when a property is on the Resource List and not allowed to be removed. He also asked about Indian Village homes that will be turning 50 soon. They noted there needs to be historical significance in the building in order to be on the list.

PLANNING BOARD

Richard Crosswell on behalf of the Board thanked them for asking them to come in to discuss the Master Plan. They will be making a more complete presentation to the Spring Town Meeting. He gave an overview of the actions taken in order to make this report happen. Peter Ashton made comments about the Plan and his view on the process. He hoped that we could get more boards and committees and residents involved. They felt that it was important to understand that it was reviewed since creation, as it is a living and breathing document. Peter asked about article for the Annual town Meeting in April, they felt just housekeeping articles and the timing as such they would not be making any substantial articles.

Dore' thought the executive summary or lack of it made the Board read it. He noted that he has followed the paper trail and he felt that the plan was great and wanted a larger exposure and wanted fairly early on do something like a draft or thumb nail outline and distribute it through a mass mailing and get it out there for people to get involved.

Richard Crosswell felt they did need to engage people and felt that notices or stories in the paper was outreach to citizens.

Herman noted that it was a massive effort and thanked them for the ease of the reading of the report. He too wanted an Executive Summary and in the end realized that reading it was informative. He felt that he did not find it unusual that they did not have more public input.

Nancy noted that she understands how hard it is to get people involved to serve at night meetings. She felt the cross section was probably a cross section of the community. She has found that the site plan review process special permit is removed from the bylaw and to be replaced with a procedure. She knows that we are a very unusual community and would not want it replaced with something that would not allow public input. Coles Brook was an example of how it can work. She felt streamling has down sides and would impede the publics input. She liked the affordable housing section and agreed it was a great document.

Wayne felt that it was good and he did not miss the executive summary. Thanked them for the great job. The bad news is public was not involved to the extent he wanted and his comments were incorporated and that made him happy. He felt it was an incredible document and wanted to see it referred to.

Josh Chernin - felt it is the Board's intention to bring it to the Town Meeting to vote on goals and objectives as a package. He felt that budgets, information systems and

personnel should be included. The business plan matched the constraints of people and money. He felt they needed more discipline and that we don't have the people or money to implement the plan. He hoped for a process that is more comprehensive next time and did not want it to become a wish list.

Richard Crosswell said that departments and committees to pull this together put a lot of effort forth. He thanked staff for the fine job done by all them in preparing this.

Trey noted that the language was easier to read and it is a project for 2000 to review the Zoning Bylaw for ease of reading. The planning Board would be taking time off from submitting zoning articles.

SELECTMEN'S BUSINESS

SEWER UPDATE - Dore' gave an overview of the newest problems with the possible Fire circle. He noted that he had suggested a STM in January. He further updated the Board on the latest information from the Consultant about the 1.5 m increase. He also noted the Jan 21 meeting here would still go forward. He felt we were not ready to move forward at this time.

HERMAN KABAKOFF - Moved to take action to cancel the January 26th Special Town meeting. DORE' HUNTER - Second. UNANIMOUS VOTE.

Nancy updated the Board on a letter from Andrew Gotlieb and asked to highlight sections in it. They found him to be knowledgeable and reasonable. His letter recognized Acton's efforts and she felt very confident about future funding. She feels that there could not be a letter more confident that the funding and ranking would stay.

Charlie Kadlec asked about how to move forward with School Building project if funding for the project was delayed. He was concerned about timing. He did not think that the school could move forward for permits without sewer in place.

Jesse Liberty School Committee - His committee has worked on building project on two paths. Sewers or not. They understand that if the sewers were not available, it would be unfortunate, but would be possible by limiting space. They will work with the Sewer Action Committee.

John Prenderville stated that he has not heard anything that would stop the project. He wants the Financial Task Force kept in the loop; he feels they can offer good information to them. He felt the school should go down the two paths so that they would be covered. He asked for the support for the Committee. He wanted a peer review of Woodward and Curren's work.

Mr. Lewis criticized the Board earlier but now he has a suggestion to look back at the original list and not build a larger plant, scale it down. If it can be done this would be a plan he could endorse.

Herman expressed dissatisfaction of communication with regard with Gotlieb's letter. He wanted it known that he was concerned that all BOS members be notified at the same time when matter is brought to light, he was concerned that all BOS members be

notified at the same time when matter of importance is received by staff. He wanted an effort put forward to make sure this did not happen again.

Jon Chintz of 5 Broadview wanted to say that he supports Nancy and felt that Herman's concern should be handled with Nancy directly not in a third party manner.

CONSENT AGENDA

DORE' HUNTER - Moved to approve. PETER ASHTON - Second - Nancy Tavernier -UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

Budget workshop this Saturday.

The Board adjourned at

Nancy E. Tavernier
Clerk
2/2/99
Date

Christine M. Joyce
Christine Joyce

January 5, 1999

December 31, 1998

TO: Board of Selectmen

FROM: Wayne Friedrichs, Chairman

SUBJECT: Selectmen's Report

AGENDA
January 5, 1999
7:30 P.M.

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. **7:45** **PLANNING BOARD** – Members will be present for Master Plan Review meeting.
2. **8:15** **HISTORICAL COMMISSION** – Members will be present for an oversight meeting with the Board of Selectmen.

III. SELECTMEN'S BUSINESS

IV. CONSENT AGENDA

3. **ACCEPT MINUTES** – Enclosed please find Minutes of December 8, 1998 for Board approval.
4. **ACCEPT GIFT** - Enclosed please find a request from the Recreation Director for Board acceptance of a donation from the A/B Youth Softball League.
5. **ACCEPT GIFT** – Enclosed please find a request from the Planning Board to accept \$10,000 from the Carlton Drive Subdivision for the construction of sidewalks in South Acton.
6. **MMA VOTING AUTHORIZATION** – Enclosed please find a copy of the Credential Vote Form, which authorizes the Town Manager to vote at the upcoming meeting for Board action.

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.

January 19, 1999
Site Plan Special Permit Assisted Living
Audubon Hill Trustees
Conservation Trust

February 2, 1999
Special Use Permit Veterinary Dental

February 16, 1999

March 2, 1999

January 5, 1999 MTG.