

**December 19, 2005
7:00 P.M.**

PRESENT: Peter Ashton, Walter Foster, Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Town Manager and Asst. Manager. The meeting was televised

CITIZENS' CONCERNS

Mia Spies spoke about many issues with regard to the Morrison Farm Committee, Board of Selectmen statements and asked that she be treated properly and asked for an answer in writing to address her concerns.

SEWER COMMISSIONERS' BUSINESS

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE –.None

BOSTON EDISON/VERIZON, POLE LOCATION – MAIN STREET AT CARLISLE ROAD - DORE' HUNTER – Moved to approve with conditions noted by the Engineering Department. WALTER FOSTER – second. UNANIMOUS VOTE.

SITE PLAN SPECIAL PERMIT 10/27/05/405, BRAVERY REALTY TRUST, 144 GREAT ROAD. DORE' HUNTER - Moved to continue the hearing to Jan 23, 2006 at 8:10, at the request of the applicant. WALTER FOSTER- second. UNANIMOUS VOTE

TRANSPORTATION ADVISORY COMMITTEE INTERVIEW – DORE' HUNTER – Moved to appoint James Yarin as an Associate Member to the Transportation Advisory Committee. WALTER FOSTER – second. UNANIMOUS VOTE.

PLANNING BOARD INTERVIEW, ALAN MERTZ – WALTER FOSTER – Moved to appoint Alan Mertz as an Associate member of the Planning Board. DORE' HUNTER – second. UNANIMOUS VOTE

CHANGE OF MANAGER'S O'NATURAL- The owners of O'Natural came before the Board to request approval of a new Manager, from Ms. Lima to Mr. Adam Gorham. WALTER FOSTER – Moved to approve Mr. Gorham as the New Manager. DORE' HUNTER – second. UNANIMOUS VOTE.

INTERVIEW COMMUNITY PRESERVATION, JON BENSON
DORE' HUNTER – Moved to appoint Jon Benson to the CPC for a term to expire June 30, 2006. WALTER FOSTER – second. UNANIMOUS VOTE.

SITE PLAN SPECIAL PERMIT 02/19/03-388, ACTON SUZUKI, INC. 60 POWDERMILL ROAD - Mr. Bertolami discussed the progress made since the last meeting. They have submitted to the Building Commissioner and they chose option 1, 17 cars, Outside and 2 inside total of 19 cars. Walter asked about two licenses at the same site. They prefer to

avoid this and have the board issue one license. Walter spoke about the connector ramp and Walter noted that this was good growth. Garry suggested that we either limit total number of vehicles under this license at 19 and to notify us of vehicles stored at other locations, further they discussed if the locations are in Acton, there would be a problem. Mr. Bertolami said all his storage was not within the confines of Acton. Walter said he wanted to make sure that other off site store being used be conditioned that we show that. It is understood that there may be vehicles stored out side of the Town of Acton.

Andy spoke about the fencing that has added area behind the building instead of hugging the building, and needs to be addressed.

DORE' HUNTER – Moved to close the hearing. WALTER FOSTER – second. Peter asked if it should be approved tonight. Andy said to include the red changes.

ANDREW MAGEE – Moved to accept the Site Plan as presented with fencing on the north side with five foot off building and fencing on north east side to be placed at a distance of 1 1/2 feet off the Conservation Restriction. WALTER FOSTER – second. UNANIMOUS VOTE.

CLASS I CAR DEALER'S LICENSE, ACTON SUZUKI, INC., 60 POWDER MILL ROAD - DORE' HUNTER – Moved to limit the number of cars to 19 maximum and off site additional cars are not to be stored in the Town of Acton. WALTER FOSTER – second. UNANINMOUS VOTE.

LIQUOR LICENSE VIOLATION CROSSROADS CAFÉ'

Jay Manning outlined the materials he received from the Town with regard to this issue. The Crossroads was the last place the violator said he was after being arrested for OUI. Jay said that they make sure that they do not serve an individual who is intoxicated. He is here to defend his restaurant; he does not know that the gentleman was at his restaurant. He says they do the best they can and they have a large clientele. Dore' asked in detail explanation how he would correct this. Jay said he walks around the restaurant and checks people. He asked if any one watched the crowd leaving at closing. Jay said that most the time they stand by the door to see if they walking out with glasses or alcohol and to see if they are taken care of properly if intoxicated. The Board required Mr. Manning to re-read his policy and to submit written rules that the employees can use, and to have a responsible person keep an eye on those leaving to make sure they are not leaving intoxicated.

Walter suggested we should notify the surrounding towns to make everyone aware of any accidents that occur in an Acton establishment.

Andy noted the blood alcohol level was high and the man was intoxicated.

Peter said he agreed that the policy should be changed as soon as possible and hoped he would not come before them again.

BUDGET PRESENTATION

Don presented his budget. He asked that on Budget Saturday we start around 8 am and go until we finish. Don asked that questions be submitted prior to January 7, 2006

SELECTMEN'S BUSINESS

2006 LICENSE RENEWALS

WALTER FOSTER – Moved to approve the liquor licenses with the provision that they are current with tax payments and in compliance with 304 Legislation before December 30, at 5:00 P.M., 2005 LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

PETER ASHTON – Moved to approve the Full Retail Package Stores. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve Retail package wines and malts beverages
DORE' HUNTER – second. UNANIMOUS VOTE

DORE' HUNTER – Moved to approve the Common Victualler Beer and Wine. WALTER FOSTER – Second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Class II licenses, with AutoPlex Held until new address is determined. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Class I new car licenses with Acton Ford Truck held (to be replaced by Acton-Suzuki, Inc.) DORE' HUNTER – second.
UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Entertainment licenses on page 6 same conditions. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Bowling Alley license DORE' HUNTER – second. UNANIMOUS VOTE.

WALTER FOSTER – Moved to approve CVS's 24 hour permit. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Automatic Amusement devices –DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Taxi cab
License for ABC Taxi, for a Hyndi Alentra 11 Central St. DORE' HUNTER – second.
UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Taxi Cab driver's license for Tatiania Benharbone. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Fortune Tellers License for John Lorenz. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to not renew the boarding house permit located at 57 Conant St. (Mr. Gallagher) DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve Common Victualler Licenses, pending payment in full of taxes and compliance with 304 inspections (if holding a liquor License) before Dec 30, 2005. DORE' HUNTER – second. UNANIMOUS VOTE

MAPC REQUEST FOR LEGISLATIVE SUPPORT- Peter outlined the request and spoke about the issue. DORE' HUNTER -Moved to have the letter sent under the Chair's signature. WALTER FOSTER – second. UNANIMOUS VOTE

MASSACHUSETTS MUNICIPAL ASSOCIATION AND MASS INTERLOCAL INSURANCE ASSOCIATION, VOTING DELEGATIONS - Peter will plan to go on Friday and will nominate Don as the Voting Delegate for the meetings. DORE' HUNTER – Moved to designate Don Johnson as the Boards Delegate. WALTER FOSTER – second. UNANIMOUS VOTE

OTHER BUSINESS

Walter noted that they had a meeting of the Morrison Farm Committee, they will be holding a public forum on January 19, 2006 at the Town Library at 7:30.

Lauren spoke about the car pool program. They should contact Dore' Hunter with questions. They are planning a February 8th public outreach program to discuss solutions to commuting problems.

Peter reported on the ALG meeting which will be beginning to look at shared funds. David Stone suggested we look at it differently, rather than approach by looking a different reviews and dividing other revenues for the town side. Peter noted that we were splitting 70 percent of the revenue with the schools. Peter felt that we will be looking at these things differently. Peter noted that revenues are up from October and feels the approach is different. Walter noted he liked David Stone's approach and he now understands that we don't have much leeway on licenses fees and such other revenue sources.

Lauren stated we should contact our legislators about unfunded mandates. Dore' said we should ask for the costs of these mandates.

Walter wanted to present it to the legislators. Peter noted that we have a meeting with the legislature to discuss this issue.

CONSENT AGENDA

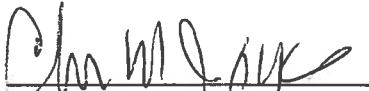
DORE' HUNTER - Moved to approve, WALTER FOSTER – second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

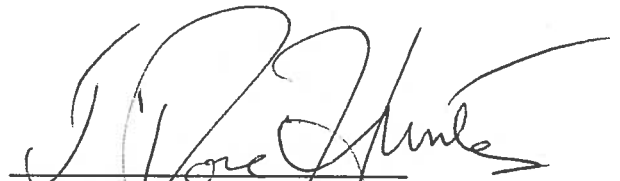
None Required

EXECUTIVE SESSION

None Required



Christine Joyce, Clerk



Clerk, Board of Selectmen

Date: _____

BOARD OF SELECTMEN AGENDA

December 19, 2005

**Francis Faulkner Hearing Room
Acton Town Hall
7:00 P.M.**

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III PUBLIC HEARINGS & APPOINTMENTS

1. **7:05 OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. **7:15 POLE RELOCATION AND REMOVAL, BOSTON EDISON AND VERIZON NEW ENGLAND, MAIN STREET AT CARLISLE ROAD** — Enclosed please find materials in the subject regard, for Board consideration.
3. **7:30 SITE PLAN SPECIAL PERMIT #10/27/05-405, BRAVERY REALTY TRUST, 144 GREAT ROAD** - Enclosed please find materials in the subject regard, for Board consideration. **(Applicant has requested an extension to January 23, 2006 at 8:10)**
4. **7:35 INTERVIEW, TRANSPORTATION ADVISORY COMMITTEE INTERVIEW, JAMES YARIN** –Enclosed please find Mr. Yarin's Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
5. **7:45 INTERVIEW, PLANNING BOARD INTERVIEW, ALAN MERTZ** – Enclosed please find Mr. Mertz' Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
6. **7:50 CHANGE OF MANAGER REQUEST, O'NATURALS, 149 GREAT ROAD**– Enclosed please find materials in the subject regard, for Board consideration.
7. **8:05 INTERVIEW, COMMUNITY PRESERVATION COMMITTEE, THOMAS DUNN** – Enclosed please find Mr. Dunn's Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
8. **8:15 INTERVIEW, COMMUNITY PRESERVATION COMMITTEE JON BENSON** – Enclosed please find Mr. Benson's Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
9. **8:30 SITE PLAN SPECIAL PERMIT #02/19/03-388, ACTON SUZUKI, INC., 60 POWDER MILL ROAD (Continued from December 12th)** Enclosed please find materials in the subject regard, for Board consideration.
10. **8:31 CLASS I CAR DEALER'S LICENSE, ACTON SUZUKI, INC., 60 POWDER MILL ROAD** – **(Continued from December 12th)** – Enclosed please find materials in the subject regard, for Board consideration.

- 11. **9:00 LIQUOR VIOLATION, CROSSROADS CAFÉ, 405 NAGOG SQ.** - Enclosed please find materials in the subject regard, for Board consideration,
- 12. **9:15 BUDGET PRESENTATION** – The Town Manager will make his Annual Budget Presentation to the Board.

IV SELECTMEN'S BUSINESS

- 13. **2006 ANNUAL LICENSE RENEWALS** - Enclosed please find materials in the subject regard, for Board consideration.
- 14. **METROPOLITAN AREA PLANNING COUNCIL (MAPC) REQUEST FOR LEGISLATIVE SUPPORT** – Enclosed please find materials in the subject regard, for Board consideration.
- 15. **MASSACHUSETTS MUNICIPAL ASSOCIATION (MMA) AND MASSACHUSETTS INTERLOCAL INSURANCE ASSOCIATION (MIIA) VOTING DESIGNATIONS** – Enclosed please find materials in the subject regard, designating Don Johnson as the voting Designee at the MMA and MIIA Annual Business Meeting, for Board consideration.
- 16. **OTHER BUSINESS**

VI CONSENT AGENDA

- 17. **COMMITTEE APPOINTMENT, ACTON BOXBOROUGH ARTS COUNCIL, RACHEL F. LUCAS** - Enclosed please find Ms. Lucas' Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
- 18. **DISPOSAL OF TOWN PROPERTY** – Enclosed please find a request from the Library Director for approval to dispose of a sofa from the Library's Children's Department, for Board consideration.

VII TOWN MANAGER'S REPORT

VIII 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. 7 (Budget Workshop)	February 13 & 27
January 23 & 30	March 13 & 27

1. Produce Morrison Farm Development Master Plan (Walter)
2. NARA PARK
3. Pursue Commercial Tax Base
4. Master Plan review meeting once per year

GOALS carried forward

5. Monitor Labor Negotiations (Peter)
6. Improve Communication with Town Boards (ALL), Improving Inter Board Communication (Dore')
7. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Peter)
8. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
9. Process Planning for "Life after NESWC"
10. Middlesex Pension Alternatives (Walter)