

**Selectmen's Minutes  
March 14, 2005  
7:00 P.M.**



**Present:** F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, and Trey Shupert Absent. Town Manager and Assistant Town Manager. Meeting was televised.

**CITIZEN'S CONCERNS** - Mary Michelman – ACES Representative gave the Board an overview of the W.R. Grace site and associated plumes. ACES is concerned about the Feasibility Study. Grace has three options, they could choose the do nothing option, just leave, they could let the plume travel naturally and it would dilute the contamination and third option do natural attenuation and provide treatment on only the south west landfill area with a pump and treat. She thinks Grace should do more and should be putting testing wells on BOC Gas site. She will be speaking with the Water District about the North East area. She asked that the Town have its consultant look at the Feasibility Study submitted by Grace, and provide comments. Don noted that he has been following this and he cannot share publicly the comments, but bottom line is, they are inadequate. Town Counsel, our consultant and Board of Health will meet and continue to review and make comments by the Sept. 2005 Deadline.

## **SEWER COMMISSIONER'S REPORT**

None Required

## **PUBLIC HEARINGS & APPOINTMENTS**

**OPERATIONAL MINUTE** – Don Johnson gave an overview of the Snow Removal Budget. Gross remaining is \$25,000K and we will need \$50K for sand removal.

**STREET ACCEPTANCE HEARING, DUNHAM LANE** – A Resident of Dunham Lane was present with several questions about road repair and signage in front of his home. He was referred to Staff for resolution. BOB JOHNSON – Moved to approve. PETER ASHTON – Second. UNANIMOUS 4-0

**STREET ACCEPTANCE HEARING, ELM @ CENTRAL STREET** – Bruce Stamski said that they will be doing realignment at that intersection and the abutter has donated the land required at no cost. PETER ASHTON – Moved to approve. BOB JOHNSON - Second. UNANIMOUS 4-0

**SITE PLAN SPECIAL PERMIT, 12/23/04-400 864 MAIN STREET, LLC.** - BOB JOHNSON – Moved to take under advisement. PETER ASHTON – second. UNANIMOUS 4-0

## **SELECTMEN'S BUSINESS**

**FY06 BUDGET/WARRANT DISCUSSION** – Dore' discussed his email regarding the Planning Board Meeting he attended. He noted that the Board of Selectmen voted against approving the Planning Article regarding the antenna articles.

The Finance Committee approved our budget at the last meeting. Dore' suggested that the Munis document have an announcement about the documents new format.

Peter noted the latest numbers of ALG has now changed. And asked if they wanted them included. Peter asked that we sign off tomorrow at ALG.

Herman Kabakoff, Robin wood Road, and Fin Com member, said that the Chairman of Fin Com. wanted to give a brief comment at Town Meeting on the articles. He asked if he could get staff time to help him so that he would be up to date on the materials.

**WOODLANDS AT LAUREL HILL MEMORANDUM OF AGREEMENT** – Don gave an overview of the current situation. He is concerned about the unknown with Westford and they were also concerned with what the third party entity may do. PETER ASHTON – Moved to approve this agreement. WALTER FOSTER – second. UNANIMOUS VOTE 4-0

**HEALTH INSURANCE TRUST** – The Trustees set rates last Friday. The reduction was due to a correction that needed to be made according to our auditor back to 2003 as they may not have been recorded correctly. The Trust said that this put us in a dilemma and required them to cut fairly close. The loss for next year will be putting us in the red by the end of the year. They discussed the appropriate rates to set for next year. They wanted a break even and rates that would allow us to rebuild the trust. The Trustees have taken a two prong approach. The rates will include a 26% increase.

### **OTHER BUSINESS**

Dore' asked about the status of the Lowell Regional Transit Authority (LRTA) and Metropolitan Area Planning Council (MAPC). It was noted that Mr. Herskovitz was out of town. The Board agreed that they would like to have a representative that did not travel as extensively and suggested a member of the TAC be appointed to serve as our Representative to LRTA. Staff has made the appointment with Mr. Draisen for the Board of Selectmen's meeting on the 28<sup>th</sup> of March.

Walter spoke about the recent CPA meeting that was held and they have asked the proponents be asked to come in to discuss this years requests.

Walter also noted he is serving the Morrison and Sculptural Committees. He asked that we ask if the committees could be publicized at town meeting and extend an invitation to others to come forward and attend the sub-committee meetings. Dore' suggested he speak to the Moderator about the hand out and report to Town Meeting.

Peter Ashton - Spoke about the proposed Special Town Meeting. PETER ASHTON -Moved to hold a June 13<sup>th</sup> Special Town Meeting to discuss Trash issues, as well as other issues. BOB JOHNSON second. PETER ASHTON, Moved to close the warrant for the June 13<sup>th</sup> meeting at the end of the Selectmen's meeting this evening. BOB JOHNSON – second. UNANIMOUS 4-0.

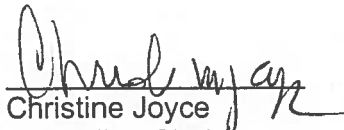
## CONSENT AGENDA

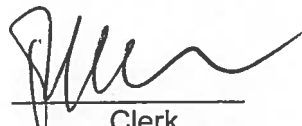
Peter questioned the Street Banner question about placing sponsors on the banners. It is for Recreation Use and not business entities. John said they could limit it to municipal events only. The Board agreed.

PETER ASHTON – Moved to approve. – BOB JOHNSON - Second. UNANIMOUS VOTE

## TOWN MANAGER'S REPORT

None Required

  
Christine Joyce  
Recording Clerk

  
Clerk  
5-9-05  
Date

March 11, 2005

**TO:** Board of Selectmen, Sewer Commissioners

**FROM:** F. Dore' Hunter, Chairman

**SUBJECT:** Selectmen and Sewer Commissioners' Report

**MARCH 14, 2005**

**7:00 P.M.**

**I CITIZENS' CONCERNS**

**II SEWER COMMISSIONERS' BUSINESS**

**III PUBLIC HEARINGS & APPOINTMENTS**

1. 7:01 **OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. 7:10 **STREET ACCEPTANCE HEARING, DUNHAM LANE** – Enclosed please find materials in the subject regard, for Board consideration.
3. 7:15 **STREET ACCEPTANCE HEARING, ELM STREET @ CENTRAL STREET** – Enclosed please find materials in the subject regard, for Board consideration.
4. 7:30 **SITE PLAN SPECIAL PERMIT #12/23/04-400, 864 MAIN STREET, LLC.** – Enclosed please find materials in the subject regard, for Board consideration.

**IV SELECTMEN'S BUSINESS**

5. **FY06 BUDGET/WARRANT DISCUSSION** – Enclosed please find materials in the subject regard, for Board consideration.
6. **WOODLANDS AT LAUREL HILL** – Enclosed please find a Memorandum of Agreement in the subject regard, for Board consideration.
7. **OTHER BUSINESS**

**V CONSENT AGENDA**

8. **ACCEPT MINUTES**, - Enclosed please find the Selectmen's Minutes of November 1, 2004 and February 7, 2005, for Board acceptance.
9. **STREET BANNER POLICY** – Enclosed please find materials in the subject regard, for Board consideration.

10. **ONE DAY LIQUOR LICENSE, NARA PARK, ACTON FAMILY NETWORK ANNUAL BARBECUE-** Enclosed please find materials in the subject regard, for Board consideration.
11. **ACCEPT GIFTS** – Enclosed please find a request from the Recreation Director to accept the following gifts for funding various summer activities at NARA Park, for Board consideration:
 

Domino's Pizza	\$2,500
Stow Martial Arts	\$1,000
Learning Express	\$600
Today's Dental	\$200
12. **ACCEPT GIFTS** – Enclosed please find a request from the Recreation Director to accept the gift of a Fitness Versa Ball and a Fleece Blanket from Harvard Pilgrim Health Care, for Board consideration.

## **VI TOWN MANAGER'S REPORT**

## **VII 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.

March 28 – MAKAHA Follow-up, Jazz Café Liquor Violation, Marc Draisen, MAPC  
April 4

#### **GOALS 2004-2005**

1. Produce Morrison Farm Development Master Plan (Bob/Walter)
2. Improving Inter Board Communication (Dore')

#### **GOALS carried forward**

3. Monitor Labor Negotiations (Peter/Trey)
4. Improve Communication with Town Boards (ALL)
5. 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 (Trey/Peter)
6. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
7. Process Planning for "Life after NESWC" (Bob)
8. Joint IT process-organizational change (Walter/Dore')
9. Middlesex Pension Alternatives (Walter/Trey)