

Final

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**February 24, 2014
Francis Faulkner Hearing Room**

RECEIVED

Executive Session 6:00 p.m.

APR - 9 2014

Regular Meeting 7:00 p.m.

**TOWN CLERK
ACTON**

Present: Ms. Adachi, Mr. Gowing, Ms. Green, Mr. Clough, Mr. Sonner, Town Manager Ledoux, Recording Secretary; Lisa Tomyl & Christine Joyce.

CITIZENS' CONCERNS

None

CHAIRMAN'S UPDATE & OPERATIONAL MINUTE

Mr. Ledoux – Met with Concord's Town Manager to follow up on the planned purchase of 55 Knox Trail. Concord still does not have a signed P&S. The Concord School Committee has set an April 1st deadline to finalize the deal, or they will privatize their bus service. We recently found out that Middlesex Retirement is considering adjusting their assessment to the Town because of the school regionalization. We may need an MOU to handle the difference in the town and school budget allocations for FY'15.

Ms. Adachi updated the Board. The Finance Committee will meet on 2/25 and will hear presentations on the municipal and school budgets. The Town Manager, Finance Department and Ms. Adachi will attend on behalf of the town. There will be a meeting on 3/3 to discuss the Inter-Municipal Agreement between the schools and the town. Douglas School is holding their Read-Aloud Day on 3/3. The LWV Civics Bee will be on Sun, 3/9 at 1:00 pm. This year, there will be mixed student-adult teams, with 35 adults being assigned to student teams. Ms. Adachi, Mr. Gowing, Mr. Sonner, and Ms. Green will participate. The next BOS meeting is Monday, 3/10 and the Board will vote on recommendations for warrant articles and possibly go over the Town Manager's performance evaluation.

PUBLIC HEARINGS & APPOINTMENTS

PANERA SITE PLAN #3/5/13-441 – APPLICANT WISHES TO WITHDRAW THIS SITE PLAN

SPACE NEED DISCUSSION

Dean Charter updated the Board on the process of the space needs study so far and on the changes since he last updated the board in June 2013. He gave a slide show of where we are and where we need to be.

Mr. Gowing asked about temporary space for the staff during this project. He was concerned about the cost and availability of short-term lease space. He suggested that we look at moving staff into a five-year space. Dean did not know we if we need people out of Town Hall for five years.

Ms. Green asked about the purchase of the Harris Street property as well as building storage space at Woodlawn Cemetery. Dean felt the cemetery project would be worthwhile even if Harris Street was approved.

Mr. Sonner asked to see the ongoing costs of the buildings at the end of the five-year build out. He asked if there was any potential for economies of scale by doing a lot of this building at once. For example, could we only go out to bid once for the design of multiple buildings like the Senior Center and the North Acton fire station? This would cut down on the tedious bidding and design process.

Mr. Clough noted that we are looking at \$22 million worth of projects in the next few years. He asked if we could combine some of these into one building so that we can save in the long run on things like having to build elevators in multiple buildings.

Mr. Gowing expressed his concerns with buying buildings over time that aren't suited for town use and then trying to retrofit them for what we need. This is often more expensive than just building a new structure in the first place.

Allen Nitschelm asked for more information on how Dean derived his maintenance formula for the buildings. Dean provided additional background on his calculations.

Ms. Green - Moved to endorse and go forward on the North Wing Land Use Permitting project as discussed by the board. Mr. Sonner – second. Mr. Clough - No. Motion passes 4-1.

SELECTMEN'S BUSINESS

KELLEY'S CORNER STEERING COMMITTEE APPOINTMENTS

Mr. Sonner – Moved to recommend members on the Kelley's Corner Steering Committee: Andrew Brockway, Eric Solomon and Bonny Nothern from Acton 2020; Rob Bukowski, Larry Kenah for EDC; Margaret Woolley Busse from the Finance Committee; and Peter Darlow as the Design Review Board Representative. Mr. Clough – second. UNANIMOUS VOTE

FEE WAIVER REQUEST, PMC – KIDS CHALLENGE BIKE RIDE

Mr. Gowing - Moved to approve the fee waiver. Ms. Green – second. UNANIMOUS VOTE

POST OFFICE CROSSING, 40B PROJECT

Ms. Adachi discussed the project. She said that the ZBA hearing went well and all departments have commented on the project and the developers have provided answers to some of the questions on the application. She said that our conversation tonight should focus on the comments we would like to provide to the ZBA and on the LIP program in general. She noted that our last meeting, the Board discussed having a requirement of zoning disclosure with residences in a light industrial zone. She presented draft comments for the board's review.

Mr. Sonner said that he supported adding a note in the comments to encourage the developer to disclose to prospective buyers that the development is in a light industrial zone.

Mr. Gowing noted the lack of green space in the development and would like to make a stipulation that access to the nearby property is fenced so that residents cannot use the abutter's property without permission.

Mr. Clough discussed the DRB response and noted that the developer made some of the recommended changes, but not all. He would like to see more of a buffer between the residences and the light industrial zone.

Ms. Green agrees with as much disclosure as possible with regard to light industrial zoning and is concerned about lack of green space. She agreed with Mr. Gowing that the developers need to make clear that the private property is privately owned and that the purchasers understand that.

Mr. Clough again discussed spaghetti lots and this is one of those lots which allowed this use.

Mr. Gowing – Moved to authorize Ms. Adachi to send the letter with the four issues we discussed and to have Ms. Adachi make any edits that may be necessary. Mr. Sonner- second. UNANIMOUS VOTE

Mr. Sonner would like to add a fifth stipulation, suggesting a sidewalk contribution. Mr. Clough – second UNANIMOUS VOTE

ALG DISCUSSION

Mr. Ledoux said that at the recent ALG meeting, the group discussed the new projections for FY'15 and how to use the \$885k "surplus" between expected revenues and anticipated spending (this does include a use of reserve funds). The extra money is due to higher than expected revenues. The working agreement is to reduce the planned use of reserves, put \$350k towards tax relief, increase the OPEB contribution on the town side, and also put the \$330k in overlay that the assessor's office has released towards tax relief.

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Mr. Clough said that if the \$300k+ of overlay is going to tax relief, does that mean we won't be "taxing to the max?" Mr. Ledoux said that the tax increase would be closer to 1.5%.

Mr. Gowing wanted to clarify that tax relief does not mean that taxes will be going down from FY'14 to FY'15, but that the increase won't be as high.

Allen Nitschelm commented about regionalization. He said that he and Charlie Kadlec feel that it is not past time to see if we go forward to full regionalization. He does not think that the two towns would un-vote it unless there was a misunderstanding. He said Acton will be spending an extra million and the savings will go to Boxborough over five years. He feels we need to address this mistake. He wants the board to consider this and discuss with Boxborough this mutual mistake with a hope to resolve this. He also wanted some clarity on why, if the tax increase is only 1.5%, the average single family tax bill will go up closer to 4%.

Mr. Sonner said he does not fully understand what is going into the numbers for the school budget and he would like to see what FY'15 would have looked like without regionalization.

Herman Kabakoff noted that he has heard many concerns from the public about this increase in the school budget. There is a lot of confusion. He also asked about the \$1 million in the NESWC fund and asked if that had been discussed at ALG. Mr. Ledoux said it was not discussed.

Ms. Adachi - Moved approve the components of the plan to hold the reserve use at \$2 million, to apply an extra \$342k for OPEB on the town side, to use \$350,000 for tax relief, and to use another \$325k in overlay for tax relief. Mr. Gowing seconded - UNANIMOUS VOTE.

Ms. Green Moved to revote the Town's Budget to \$31,341,300. Mr. Gowing – second.
UNANIMOUS VOTE

SELECTMEN'S REPORTS

Mr. Sonner – Water District voted to move ahead to have April town meeting to change zoning to protect zone 3.

Mr. Clough: DRB reviewed the Post Office Crossing project and had no significant changes. Finance Committee is talking about the same issues regarding NESWC. CPC voted on their proposed budget: open space will be funded, NARA will be funded for half of their request, and the basketball courts will be funded. Morrison well will not be funded, but the Morrison Farm trail looks like it will be voted. CPC did not support the Town Hall painting project. Wright Hill will be funded at 25%, with 75% bonded over 20 years.

Ms. Adachi: ACHC – Ms. Adachi recently visited with ACHC chairman Nancy Tavernier the new Carlisle affordable housing complex, Benfield Farms, on South St. This project is nearly ready for occupancy. It has 26 rental units, including 2 accessible, age 62+, 1-2BR, mixed range of affordable incomes, from 100% to 300% of the area median income. It occupies 4.4 acres of 45-acre open space parcel that Carlisle purchased for \$2M in 2004. AWD – Ms. Adachi was going to provide an update on the Water District meeting but Mr. Sonner already has done so. Ms. Adachi attended the 495/Metro West Partnership forum, 2/11, on corporate site selection. Ms.

Final

Adachi has circulated materials to the Board. After the Siemens Challenge presentations to the Board on 1/27, the teams both requested feedback/endorsements. Ms. Adachi provided letters of support. Open Space and Recreation Plan draft – The formal letter from the Board still is pending. Ms. Adachi will work on it this week.

Mr. Gowing RTAC – 20 new projects were submitted for consideration to be added to the universe of proposed new projects (16 were UPWP and 4 were MAPC). 2 were in the magic region, one in Lexington and one in Hudson. One of the MAPC requests was to develop a "right – size parking tool." All will be evaluated by MPO staff and recommendations brought to the MPO for vote.

MPO – the Metropolitan planning organization will be discussing the future five-year capital investment plan, or CIP, tomorrow in Cambridge from 6 to 7:30 PM at the Cambridge senior center and on Wednesday February 26 in Mattapan at the Mildred Avenue community center, same time. Public comments can be entered on the Massdot website as well. Or you can send an email to CIPinfo@MBTA.com.

HDC – Discussed mounded septic systems in the districts and input on screening and vent placement. Talked about directional signs within the districts in addition to normal signs. Reviewed some wood window choices with new Acton residents that purchased the house on Mass Avenue in West Acton.

Ms. Green read a letter that she sent to school committee members regarding the Board of Selectmen's conduct at our 2/3 meeting and expressing hope that both boards can move forward and come to agreement on the FY'15 budgets. The school committee also voted to support a 3-year contract for the new Superintendent. The starting salary will be \$180,000 with a 3% increase in year two and a 4% increase in year three. The region will also pay for the superintendent to attend a new superintendent introduction program. Recreation met and discussed the next phase of the Bruce Freeman Rail Trail and as the plan takes it by the walking path in NARA. They agreed to support combining the NARA path with the BFRT to avoid having to cut down trees in order to build the BFRT.

CONSENT

Mr. Sonner - Moved to approve the Consent Items– Mr. Gowing - second. UNANIMOUS VOTE


Christine Joyce
Recording Secty


Clerk
8 April 2014

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA**

February 24, 2014

7:00 P.M.

Francis Faulkner Hearing Room

Executive Session 6:00 p.m.

Regular Meeting 7:00 p.m.

6:00 There will be a need for an Executive Session
The Selectmen will discuss litigation strategy regarding TRB Development Group, Inc., CVS

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 CHAIRMAN'S UPDATE/OPERATIONAL MINUTE
The Chairman will briefly update the Board. The Town Manager will provide a brief report

2. 7:15 PANERA SITE PLAN 3/5/13-441
Applicant has asked to withdraw the site plan

3. 7:35 SPACE NEEDS DISCUSSION

SELECTMEN'S BUSINESS

4. KELLEY'S CORNER STEERING COMMITTEE APPOINTMENTS
See enclosed materials

5. FEE WAIVER REQUEST, PMC – KIDS CHALLENGE BIKE RIDE
See enclosed materials

6. POST OFFICE SQUARE 40B - DISCUSSION
See enclosed materials

7. ALG DISCUSSION
See enclosed materials

SELECTMEN'S REPORTS

III. CONSENT AGENDA

- 8. ACCEPT MINUTES, BOARD OF SELECTMEN, JANUARY 6, 2014**
See enclosed materials
- 9. ACCEPT GIFT, RECREATION**
Please find a gift valued at \$3,000.00 from Roche Brothers to be used to support the Summer Concert Series at NARA Park
See enclosed materials
- 10. ACCEPT GIFT, RECREATION**
Enclosed find a gift of \$200.00 from Acton Medical Associates to be used to support the 2014 Summer Concert Series at NARA Park
See enclosed materials
- 11. ACCEPT GIFT, RECREATION**
Enclosed find a gift of \$100.00 from Joseph Perry Plumbing and Heating to be used to support the 2014 Summer Concert Series at NARA Park
See enclosed materials
- 12. ONE DAY LIQUOR LICENSE, CONGREGATION BETH ELOHIM**
See enclosed materials
- 13. ONE DAY LIQUOR LICENSE, ACTON BARN COOPERATIVE AT THE CHURCH OF THE GOOD SHEPHERD**
See enclosed materials
- 14. ONE DAY LIQUOR LICENSE, FUNDRAISER MASSBIKE SUMMER RIDE AT NARA PARK**
See enclosed materials
- 15. REQUEST TO USE THE COMMUTER LOT IN CONJUNCTION WITH THE ANNUAL BRAIN TUMOR BIKE RIDE**
See enclosed materials
- 16. DISPOSAL OF OBSOLETE MATERIALS, INFORMATION TECHNOLOGY DEPARTMENT**
See enclosed materials
- 17. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**
See enclosed materials

ADDITIONAL INFORMATION

See enclosed 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 10

Site Plan #1/29/14-447- Rod's Golf Improvement
Warrant Article Discussion

MARCH 24

Axe Brother's 848 Main Street, Site Plan #10/11/13-445

PENDING MINUTES

January 11, 27 - February 3

PENDING COMMITTEE APPOINTMENTS

JD Head – 2020 Committee - Sent to VCC
Sherman Smith – Land Stewardship - Sent to VCC 1/22
Brad Graham – sent to VCC – Historical Commission
Hongyu Lio sent to VCC – Economic Development
Connie Ingram – Sent To VCC – Cemetery Commissioner
Vandana Sharma – interested in sustainable housing – applicant will sit in on committee's to see what she feels would be appropriate for her interests

INTERVIEWED BY VCC

Robert Skilling - Senior Center Study Committee
Chris Hamilton – Senior Center Study Committee
Margaret Flanary – Senior Center Study Committee

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<input type="checkbox"/>		010 Agenda, Board of Selectmen, February 24, 2014	manager	02/21/14	37 KB	▼
<input type="checkbox"/>		020 (2) Panera Site Plan Withdrawl Request	manager	02/21/14	74 KB	▼
<input type="checkbox"/>		030 (4) Kelley's Corner Steering Committee Appointments	manager	02/21/14	37 KB	▼
<input type="checkbox"/>		035 (4) DRB Member to Serve on Kelley's Corner Steering Committee	manager	02/21/14	16 KB	▼
<input type="checkbox"/>		040 (5) Request for Fee Waiver, PMC Kids Challenge	manager	02/21/14	284 KB	▼
<input type="checkbox"/>		050 (6) Post Office Crossing 40B Project	manager	02/21/14	70 KB	▼
<input type="checkbox"/>		055 (6) DRB Comments, Post Office Crossing	manager	02/21/14	205 KB	▼
<input type="checkbox"/>		060 (7) ALG Spread Sheet	manager	02/21/14	67 KB	▼
<input type="checkbox"/>		070 (8) Minutes, Board of Selectmen January 6, 2014	manager	02/21/14	73 KB	▼
<input type="checkbox"/>		080 (9) Accept Gift, Recreation	manager	02/21/14	87 KB	▼
<input type="checkbox"/>		090 (10) Accept Gift, Recreation	manager	02/21/14	66 KB	▼
<input type="checkbox"/>		110 (11) Accept Gift, Recreation	manager	02/21/14	82 KB	▼
<input type="checkbox"/>		120 (12) One Day Liquor License Congregation Beth Elohim	manager	02/21/14	47 KB	▼
<input type="checkbox"/>		130 (13) One Day Liquor License, Acton Barn Cooperative	manager	02/21/14	109 KB	▼
<input type="checkbox"/>		140 (14) One Day Liquor License, NARA Park	manager	02/21/14	172 KB	▼
<input type="checkbox"/>		150 (15) Request to use Commuter Parking Lot for the Brain Tumor Bike Ride	manager	02/21/14	251 KB	▼
<input type="checkbox"/>		160 (16) Decliare Surplus Materials, IT Dept.	manager	02/21/14	13 KB	▼



 **170 (17) Disposal of Obsolete Materials, AML** 

manager 02/21/14 16 KB    

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