

## BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

October 20, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman; Town Manager Steven Ledoux. Lisa Tomy, Recording Secretary

Chairman Gowing opened the meeting at 7:10 p.m.

### Citizens' Concerns

Florence Ross, president of the Friends of the Acton Nursing Service, made announcement regarding the Acton Nursing Service was designated among the top 100 Home Care Elite for 2014.

**Chairman's Update and Operational Update:** Mr. Gowing: General elections take place on November 4, and Special Town Meeting will be held on November 12. The Planning Board will be holding a meeting on October 21 at 7:45 regarding Zoning Articles at Special Town Meeting. On October 22, 2014 at the Littleton Train Station, Dr. Beverly Scott, Chairman of the MBTA officially will announce the reverse commuter train arriving at Littleton at 8:50 am. There will be a Tri-Board meeting of the School Committee, Finance Committee, and the Board of Selectmen on October 28 to discuss the long range financial issues in Room 204 at 7:00 PM. The meeting is open to the public.

Mr. Ledoux:- October 8<sup>th</sup> and 9<sup>th</sup> was "On the Hill" meeting with all town departments, the budget team is in process to put together FY 16. Budget will be presented on 12/16. Reached settlements with police union to withdraw from civil service. Mary deAlderete, Asst Town Clerk resigned and is now the Town Clerk in Lancaster. Katelin Downer, Information Technology, accepted job with Children's Hospital running the phone systems – her last day is October 31.

### Public Hearings and Appointments

7:10 p.m. **Use Special Permit #09/09/14-453, 508 Nagog Park Increased Seating** – Mr. Gowing read the public hearing notice. Attorney John McNamara representing applicant. The applicant is requesting to increase seating capacity to 150 seats. Ms. Green move to approve with condition of Board of Health (external grease basin prior approval), Ms. Osman second. All Ayes, UNANIMOUS VOTE.

7:25 p.m. **Site Plan Special Permit Amendment #07/10/09-422, 107-115 Great Road, Wetherbee Plaza II, Site Modifications and Addition to an Existing Structure:** - Mr. Gowing read the public hearing notice. Ms. Adachi assigned selectmen. Proposed carriage house to attach to faux windmill (existing structure). Ms. Adachi recommends continuation of hearing due to late submissions of updated Board of Selectmen

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department heads comments. Engineering company for Wetherbee Plaza II agrees to continuance. Mr. Bertolami was inquiring what specifically was needed for this project to move forward. Ms. Adachi read over late submissions from staff comments (received by BOS today). Ms. Adachi moved to continue to December 1, 2014 at 7:10 PM. Ms. Green seconded. All Ayes, UNANIMOUS VOTE.

7:40 p.m. **Pegasus Tack Shop, Class II Dealers License**– Mr. Gowing read the public hearing notice. Ms. Osman stated a concern with the recommendation from Planning of not having enough parking if allowing the Class II Dealer's License. The Applicant is requesting to supplement her income by selling trailers and tow vehicles. There are currently 11 parking spots at the location. Ms. Green questioned Scott Mutch, Zoning enforcement officer about required parking spots for the location. Mr. Mutch explained there is 1 parking space for 300 square feet of net floor area ratio. Taking spots away would be non-compliant in an already non-compliant lot. Mr. Berry questioned the application of the name of the corporation – it was listed as a d/b/a of Village Subaru. Mr. Bertolami was listed as the member of the board, and Ms. O'Conner was not. Mr. Berry move to deny application request for Class II Dealers License, Ms. Green, seconded. All Ayes – UNANIMOUS VOTE.

7:50 p.m. **Full Liquor License Transfer, Concord Brewery, Inc., 5 Strawberry Hill Road:** Mr. Gowing read the public hearing notice. Application for All Alcohol transfer from Sprigs Restaurant. Ms. Green moved to approve transfer of All Alcohol License, Mr. Berry seconded, All Ayes, UNANIMOUS VOTE.

7:55 p.m. **Common Victualler License, Concord Brewery, Inc., 5 Strawberry Hill Road.** Mr. Gowing read the public hearing notice. Ms. Green moved approve common victualler, Mr. Berry seconded, All Ayes, UNANIMOUS VOTE.

### **Selectmen's Business**

**Board of Selectmen to Review Special Town Meeting Warrant Articles and Take Positions on Articles** Andy McGee, Acton Conservation Committee gave a short presentation regarding the warrant article #21 – Land Acquisition, Dunn Conservation Land. Selectmen were assigned warrant articles, all articles were voted upon. Article 17 and 22 were removed from the warrant – article 17 was a placeholder and 21 may move to Spring Annual Town Meeting.

**Kelly's Corner Improvement Initiative Update, Kelly's Corner Steering Committee** – an update was presented regarding updates with the Kelly's Corner Steering Committee. Possibility of Zoning bylaw changes for a potential special town meeting in the fall of 2015.

### **Selectmen's Reports:**

Ms. Adachi: **Acton-Boxborough Cultural Council** – Meeting tonight: updates re finances (grant payouts for FY14), NARA sculpture, etc. Looking for webmaster.

**Acton Water District** – Meeting tonight: groundwater protection bylaw amendment, 37 Knox Trail status, update on South Acton treatment plant construction.

**Conservation Commission**, 10/15 – Caught tail-end of discussion of Arboretum parking lot project. Town staff will need to address abutters' concerns, which are mostly beyond Commission's jurisdiction.

**Finance Committee** – Meeting tomorrow. Agenda similar to that for 10/14 meeting:

- Tax relief proposal - vote postponed due to need for perspective of Finance Department and more information as to who would qualify, how much relief, etc. Proposal for appropriation of 200K for assessor to apply for tax relief: minimum 10-year residency as of 1/2014; circuit breaker applied but relief insufficient; FY14 taxes exceeded 10% of income. Committee members expressed concern that residents who were house-rich, cash-poor, and who have other options available to them, could quickly deplete funds.
- POV for FY16: Discussion of tax rate, reserves level, proposed use of stabilization fund.
- Committee report on Community Preservation Committee: Surcharge receipts ~833K, open space fund balance@1.6M. Matching probably will be lower; additional legislature appropriation of up to 25M of surplus, if any (see MMA breakfast discussion, below).

**Land Stewardship Committee** – Meeting tomorrow.

Water Resources Advisory Committee – Meeting 10/22 about draft bylaw, postponement to 2015 Annual Town Meeting.

**Diversity Coalition**, 10/15 – See Ms. Osman's report.

Safety Net, 10/16 – Mr. Gowing also attended. Discussion of proposed mission, vision. Some participants would like to see more action demonstrating group's effectiveness. Group actually has had positive impact, but needs to look back periodically, identify successes resulting from service-providers coming together to share information.

**MA Municipal Association Legislative Breakfast meeting**, 10/17, Bedford Town Hall — Mr. Gowing, Mr. Berry also attended. Formal legislative session done but informal work continues. Significant efforts for FY14:

-Gun violence legislation, significant for police and schools

-Economic development legislation, though cap remains on liquor licenses, and lifting that is MMA priority for FY15

-Revival of Foundation Budget Review Committee, with expectation of long overdue update of formula for school foundation budget (created by law 1993) and related school aid; increasing number of

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districts get minimum aid and rely increasingly on municipal property taxes to fund what state aid does not cover. Rep. Peisch (Weston) said initial focus will be on special education and health benefits costs, which original formula underestimated; 3-4 hearings between now and February.

-CPA funding for FY15 – authorization of up to 25M budget surplus to supplement deed excise revenues. Would amount to 45% match. But revenues looking weaker so surplus might be slim/none. Sen. Eldridge mentioned proposal to double registry fee: same source, more \$.

- Water infrastructure legislation, thanks to Sens. Eldridge and Representative Dykema.

- Other capital funding: MMA supports 3-year authorization for ch. 90 funding to allow better planning at local level.

- OPEB - Proposed legislation went nowhere; MMA opposed because would have mandated coverage that some municipalities didn't provide, interfered with municipal ability to change plan provisions.

- Minuteman High travails - Need for new school, non-members sending 40% of students but not sharing in capital costs, etc. Rep. Peisch said is general problem with vocation-technical schools state-wide.

-Transportation – Need for alternatives to 1-person-1-car, but Sen Barrett noted need to look at not just vans, but possibility of ride-sharing using various applications, though cab companies oppose ride-sharing; Bedford BOS chairman noted need for jobs transportation not just for office workers but for restaurant workers, and importance of collaboration where transportation needs involve crossing border between transportation regions.

- Other - Sen. Barrett asked if any municipal interest in November local election option; Lexington having special local election in November to fill BOS, School Committee spots; voter participation could be higher but some concern among meeting participants that local races not partisan in the way that state-national races are.

-See MMA 9/2014 report on 10 Partnership Policies addressing hot-button issues.

**495/Metrowest, Water Resources Committee, 10/22** - Ms. Adachi and Matt Mostoller of Acton Water District will attend special presentation on draft EPA permit/regulation on stormwater and related issues.

Ms. Green: Recreation Committee met and discussed issues with NARA grill rentals since this was a new plan, and are working out to plan for next summer. Discussed increasing their program fees in relation to the planned increases in minimum wage over the next 3 years and how that would impact their various programs such as Camp Acton and other programs that staff minimum wage workers. Discussed capital requests the will be recommending for CPC funding.

Historical Commission met to discuss rehabbing the sign at Liberty Tree Farm, discussed re-introducing Archeological inventory and Preservation Bylaw for Fall Town Meeting. ALG met on 10/9/2014. School Committee met and decided to name the Elm Street basketball courts after Paul Cartright. Presentation from SPED Pac highlighted trends in special education in the school and budget implications, and discussed 5 year plans that will be presented at the upcoming Tri-Board meeting

Ms. Osman: Oct. 6 to 10 – Community Innovation Grant CIC - hard work to get it out and reach supporters and partners. Doug Halley is to be commended for the extra miles he goes! This grant tries to move Cross Town Connect from the development stage into on-the-road service improvement. Involves fixed route to Emerson on one end and first mile/last mile from train service toward Devens on the other, developing a strategy, then testing it with making the Clock Tower Place rail shuttle go both ways. This would be the fourth of four years of funding from CIC if we get it.

Oct. 7 **Commission on Disability**- I did not attend but it met to work on its objectives for the coming year. It has been very helpful having some members who came from a business background suggest some processes to help along the discussion.

Oct. 15 **Rotary Club**- I was the guest speaker and , while in the past I would have spoken only about transportation, this time I was asked to speak briefly on transportation but otherwise go out on a limb and read my poetry. So I did.

Oct. 15- **Acton-Boxborough Coalition for Diversity**- We worked on finalizing our report of our year and a half's work trying to identify areas of our community where diversity issues need attention, and we discussed ways to share this report.

Oct. 16 **Economic Development Committee** meeting canceled.

Oct. 16 **Regional Coordinating Council** meeting cancelled.

Oct. 16- Listened to municipal officials' telephone briefing on Ebola by Department of Public Health and Emergency Management.

Oct. 20- Met with JD Head, Facilities for Schools, and with Ed Weiner, Transportation Manager, and discussed transportation improvement ideas and where their hurdles are. They recently purchased a 77 seat (regular size) school bus that is wheelchair accessible, based on the awareness that sports players who use wheelchairs always have to be driven separately from their teammates to meets and games. JD and I discussed ways a school-owned accessible bus could contribute to the transportation program of the town, among other issues.

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Oct. 22 830 am at Littleton Station will be the celebration of the new train schedule that allows for reverse commute to this area, a boon to businesses seeking good employees who may not want or be able to live or drive out here. There will be a contingent of people starting out from Acton at 8:29 am by train and arriving in Littleton for the event, including me and also Senator Jamie Eldridge. Join us!! Meet at the South Acton train station between 8:10 and 8:25.

Mr. Gowing: Legislative Breakfast – 3 state senators (including Jamie Eldridge) and 3 state reps (including Corey) attended the MMA legislative breakfast in Bedford and discussed topics such as: chapter 70 and the formula to arrive at each town's dollar amount, OPEB reform, chapter 90 money, or UGGA, vocational and regional schools, and Ebola. The big issue in the upcoming year will be the change in leadership both in the Gov.'s office and the Senate president.

**Cable Advisory board** – cable advisory board discussed converting the towns signal supplied to Comcast from analog to digital and want to approach Comcast to fix a date in the near future. Comcast has been reluctant in the past citing competitive concerns with Verizon.

**SafetyNet** – the safety net is looking to develop a mission statement and vision for the future. In this 1<sup>st</sup> meeting, the focus was set on what will success look like in the future. Some critical features were identified such as: jobs, dollars and budgeting, housing, transportation, CNA/assisted living, schools and medication.

**Historic District Commission (HDC)** – the historic district commission discussed the potential zoning article that they would like to bring forward but felt they were too late for the fall town meeting. They plan on presenting it to the planning board/department in the near future with the goal of getting it on annual town meeting.

**ALG** – ALG agreed upon a substitute moderator (Lauren Rosenzweig Morton) to shadow the meetings during Bart's leadership and filling in during his absences. We had a 1<sup>st</sup> pass discussion on the spreadsheet.

**Regional Transportation Advisory Commission (RTAC)** – I was officially elected chair of RTAC with my term beginning in November. This will give me a vote on the MPO (along with 2 other votes in the MAGIC sub region from Bedford and Lexington).

### **Consent Agenda**

Ms. Osman requested to hold 9, and moved to remove full member status and move to Associate Member. Ms. Adachi seconded. All Ayes

Mr. Berry requested to hold item 12 with questions both disclosures. Mr. Berry moved to put back into consent

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Ms. Green moved to approve consent items 10-18, Ms. Adachi seconded, All Ayes – UNANIMOUS VOTE.

Ms. Green moved to Adjourn, Ms. Adachi seconded.

Meeting Adjourned at 10: 35 PM

Respectfully Submitted,

  
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Lisa Tomyl, Recording Secretary

  
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Peter Berry, Clerk