

## BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

March 9, 2015  
Francis Faulkner Room 204  
Regular Meeting 7:00 PM

Present: Mike Gowing, Katie Green, Janet Adachi, Franny Osman, Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary

Absent: Peter Berry

Chairman Gowing opened the meeting at 7:00 p.m.

### Citizens' Concerns

None

### Chairman's Update and Operational Update:

Mr. Gowing Continue to watch the skies while the snow keeps falling as we inch closer and closer to reaching a historic winter of snow. The Town Elections are coming up on March 30<sup>th</sup>. Thursday is the Employee STAR Award – awards given to employees reaching milestones in years of service.

Mr. Ledoux – We've had some concern with the large increase in our Middlesex Retirement assessment (29%). I wrote a letter to the Director requesting a meeting to go over our concerns. We are meeting with reps from Middlesex tomorrow at 9 AM followed by their board meeting at 10:30, which we were invited to attend. Hopefully we will get some answers and a resolution. Lisa Krause's father passed away late last week. The town sends our condolences. The PAYT public forum had about 50 people. Some senior citizens were concerned about the pricing. Corey York will look into the pricing matrix one more time.

### Public Hearings and Appointments

7:10 p.m. – **Street Acceptance, Brabrook Road Extension** – Paul Campbell, Engineering Department, was present to answer questions regarding the Brabrook Road extension. A vote from the Board will bring it to the Annual Town Meeting. Ms. Green moved to accept Brabrook Road as a public road. Ms. Adachi seconded. All Ayes.

7:20 PM **Acton-Boxborough School Committee Budget Report** School Committee Chair and Vice-Chair Kristina Rychlik and Dennis Bruce, and Superintendent Glenn Brand, presented their proposed budget for FY 16. The current plan reduces 2 teachers, and 1 custodian for a reduction of \$223,000 in salary and benefits. While they added some new FTEs, there is an overall reduction in the salary and benefits in the FY16 budget. Their budget is also trying to address the changing trends in the district, including an increased number of students requiring special services.

Ms. Green recommended that Ms. Rychlik remove the last two lines from the FY'16 Budget Assessment slide before presenting at Town Meeting to clarify that their request is a 7% increase over their FY15

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budget request. She indicated that she had concerns with another high increase, but that she supports the budget. Herman Kabakoff stated that FinCom supported this budget. He also requested that they put a forecast for future trends in their presentation

### **Selectmen's Business**

**Town Manager Review –** The Board and the Town Manager received the cumulative evaluation of the Town Manager's performance review. The Board will have a special Executive Meeting to discuss the Town Manager's contract at a later date. Ms. Adachi moved to approve overall rating of 4.2, Ms. Green seconded. All Ayes.

**Review Town Warrant, Assign Articles, and Commence Taking Positions on Articles –**The Board voted on recommending articles to go to Town Meeting. The result was as follows:

- Article 1: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 2: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 3: Ms. Adachi moved to defer to Town Meeting, Ms. Green seconded: UNANIMOUS VOTE
- Article 4: Ms. Osman moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 5: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 6: Ms. Green moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 7: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 8: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 9: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 10 – 12: Ms. Adachi moved to defer to Town Meeting, Ms. Green seconded: UNANIMOUS VOTE
- Article 13 – 16 : Ms. Green moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 17-18: MS. Osman moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 19: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 20: Ms. Adachi moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 21: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 22: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 23-27: Ms. Green moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 28-30: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 31: Ms. Adachi moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 32: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 33: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 34: Ms. Adachi moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 35: MS. Green moved to recommend, MS. Osman seconded: UNANIMOUS VOTE
- Article 36: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 37-40: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 41: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE

**Central Middlesex Emergency Response Agency Request for 10% Rate Increase** Town Manager Ledoux presented the proposed 10% increase in our CMERA rates. This will be a 2% per year increase (over a 5 year period). To move away from ProEMS, the Town would have to give 6 months' notice. Ms. Green moved to approve a 10% increase, Ms. Osman seconded. All Ayes.

**495 Metro Partnership Draft Letter to Municipalities: Voluntary Stipend** Ms. Adachi gave an overview of the voluntary stipend for funding. The amount would be about \$500.00 per community of a collaboration of 25 communities. Ms. Adachi moved to authorize the Town Manager to appropriate the \$500.00 voluntary payment in calendar year 2015, Ms. Green seconded. All Ayes.

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

Ms. Adachi: **AB Cultural Council** – Meeting on 3/11, which is same night of 3-boards meeting about Minuteman Regional building project.

**Finance Committee** - Meeting tomorrow night. Agenda includes discussion of Community Preservation Committee project recommendations, preparation for Acton Leadership Group and Town Meeting.

**Design Review Board** – Met on 3/4 to finalize comments about revised charge. Ms. Adachi forwarded DRB's suggested changes to Planning Director for further feedback about proposed additions as to subdivisions.

**Water Resources Advisory Committee** – Meeting tomorrow night to review feedback about draft stormwater bylaw from departments and Town Counsel.

**Zoning Board of Appeals** – Hearing for Walker Realty/Next Generation Daycare project on remand from Land Court opened a week ago, continued 9:00 this morning. Mr. Walker still insists on 19K ft<sup>2</sup> net area. Asserts that larger facilities necessary because company goes beyond state minimum square footage, adds facilities such as on-site laundry. Company's new buildings in 21K-27K ft<sup>2</sup> range. One of company's 12K ft<sup>2</sup> buildings was existing structure that company moved into, and now is slated for demolition/replacement. Hearing continuation focused on 35% open-space requirement, and traffic concerns, which is bigger issue. Mr. Walker, new counsel, Town Counsel, Zoning Enforcement Officer, and Town's engineering consultant Rich Nagy were present. ZBA sought to provide Land Court with some guidance in its decision. ZBA voted that

- it does not approve plan as presented with 19K ft<sup>2</sup> net floor area
- it would waive 35% open-space requirement as to proposed playground but not as to added shed (new plan has open space at 21%, omitting playground, in contrast to 31% under prior plan, which had playground but not shed).
- majority of members (2 of 3) would waive zoning bylaw 2500 ft<sup>2</sup> net floor area limit for plan proposing building of 12.5K ft<sup>2</sup>.
- it would waive 2500 ft<sup>2</sup> net floor area limitation for plan proposing building of 5K ft<sup>2</sup>.

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-it would require proposed separate left-turn lane (into facility) for project involving building of 5K ft2 or larger.

**WR Grace land, Concord** – 2/26 telephone conversation with Carmin Reiss, Concord Board of Selectmen, about Town's proposal to acquire WRG property by eminent domain due to failure of purchase negotiations with WRG. Concord will have to pay market value so potentially more than last appraised value of 1.2M. Proposal to address in Special Town Meeting that is part of upcoming annual Town Meeting. Differences between Concord and WRG over indemnification by WRG; WRG's proposal for publicly accepted road connected Acton WRG land with Knox Trail. No water supply on WRG parcel: Town cannot sink well and Acton Water District bylaw precludes supplying water outside of district absent extenuating circumstances; Concord has option of running pipe under river, but will be expensive with complex permitting and risk of stirring up waste deposits. AB District communicating with Concord about possibility of using portion of WRG site for AB school buses.

**Douglas School Read-Aloud program, 2/27** – Dr. Seuss theme. Town Manager and Ms. Adachi participated. Ms. Adachi covered 4 classes: one 1<sup>st</sup> grade, 2 3d grades, 1 kindergarten. Deputy Police Chief Burrows also participated, looking splendid in uniform as did last year.

**Acton Chinese Language School, New Year celebration, 3/1** – Happy Year of Sheep.

**495/Metrowest Partnership Board of Directors quarterly meeting, 3/3** – Grafton will be 35th member. Discussion of proposed municipal stipend, annual reception and awards on 4/1 at Quest Diagnostics, Marlborough. Private sector award to Joseph Zink, President/CEO of Atlantic Management; Public sector award to Dennis Giombetti, former Framingham Selectman. (Health Director Doug Halley received public sector award last year). Annual State House Day, 4/14, with remarks from Senate President Stanley Rosenberg, Senate Ways/Means Chairman Karen Spilka, and Beacon Hill delegation from Partnership communities.

**Rep. Atkins district meeting, 3/6, Room 204.** 4 of 5 Acton Selectmen attended. Ms. Adachi will defer to Mr. Gowing for report.

**League of Women Voter Civics Bee, 3/8** – Mr. Berry, Ms. Osman, Ms. Adachi participated. ~28 teams of one adult and 2-3 students. Tough questions, great time, great pizza. Bill Mullin's team won . . . again.

**Diversity Coalition** – Met today. Ms. Adachi missed most due to ZBA hearing, will defer to Ms. Osman for report.

Ms. Green: The **Acton Memorial Library Board of Trustees** met. They are making good progress on updating the job descriptions for the various positions at the library as per the goal in their Long Range Plan. The contractors hired to do a facilities assessment are also progressing in their work. The

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**Acton Leadership Group** met but all the members of the Board were present. Ms. Green attended an informal meeting with Natural Resources Director, Tom Tidman, Bruce Ringwall, Morrison Farm Committee Chairwoman, Mary Ann Ashton, and Tory Beyer from the Historical Commission to discuss plans for updating the parking on the Morrison property by Ice House Pond. **The Recreation Commission** met and discussed complaints they had received through Senator Eldridge's office regarding plowing the NARA walking path. These sounded similar to what the Board heard during Citizen's Concerns at our last meeting. The Recreation Department decided to pay their staff overtime to plow the walkway but noted that it is at the bottom of the town's plowing priority list so it takes a while to get to after each storm. They also discussed issues around safety and regulations at NARA in light of the fact that none of that the CPC recommended none of the Recreation projects, including the request for safety gates at NARA. They are in the beginning stages of looking into the idea of a "park ranger" position for NARA and potentially other town recreation areas. Ms. Green also spoke as one of the panelists at the forum on **Pay As You Throw** last week.

Mr. Berry: Absent

Ms. Osman: **COA 3-2-15**

Mary Lou Rapucci gave resignation, now in recreation next Friday last day. Mar. 13 1230 pm. Staff Assistant position will be listed.

United Way survey announced. I have heard it is only for a month.

There is interest in a paper version for people not online.

COA members have been visiting SENIOR CENTERS

Steve Baran Memorial is Sun. 15<sup>th</sup> 1 pm at Nagog. 102 Nonset Path

Discussing Acton Nursing Service, people felt that the Senior newsletter would be an appropriate place for health tips- as a way to raise awareness of ANS

Discussed whether to host a presentation on LEXINGTON AT HOME, a community supporting seniors at home. Not planning on doing that right now but people are interested in this topic.

Two of goals of Acton2020 is to help seniors age in place. They might be interested in this.

Recognize Judy Peters for the Website

[www.actoncoa.com](http://www.actoncoa.com)

**RCC Meeting Feb. 26-  
at Maynard's COA at Golf Course**

Invigorating meeting with people representing various towns in our RCC, the state Human Services Transportation office, Minuteman ARC, Mary Emmons from Pupil Services, and others. We decided to create subcommittees to work on areas that interest us. Some areas include Travel Training, Student transportation issues. The meeting felt vibrant in the way that MinuteVan Regional meetings used to, where people from different towns or agencies connect and are able to work together on solutions.

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On transportation, Doug Halley and Franny Osman are meeting with Selina Shaw of Boxborough this week to talk about ways in which Boxborough can get on the MinuteVan plan. The BOS and Manager in Boxborough have expressed interest in upping their involvement, providing more service, if their Town Meeting this spring or fall supports it. Both Rail Shuttle and Dial-a-Ride to be discussed.

#### **OPEN SPACE COMMITTEE 3-6-15**

Discussion of Magoon, Dunn, other properties.

#### **MAGIC LEGISLATIVE BREAKFAST 2-27-15**

Olympics, Tourism, Transportation Funding

#### **Minuteman Senior Services**

I attended an agency overview. They are a “no wrong number” agency and people with disabilities or seniors, or people with relatives who are, should call and find out what services are available. If the wrong agency, they will direct you to the right place.

#### **Diversity Coalition**

Planning next steps including possibilities of : showing of films with discussion; anti-bias education with police (distinguished from diversity training); hosting the annual Martin Luther King breakfast. Write to [abdiversitycoalition@gmail.com](mailto:abdiversitycoalition@gmail.com) .

Mr. Gowing: Acton Nursing Service Task Force – the task force met and is creating subcommittees to address issues such as marketing, networking and financing. They have begun compiling some testimonials and working towards identifying specific individuals and/or titles that they should focus their energy on to increase referrals. A physician attended to talk about how medical groups work referrals. The basic model has changed since the early 2000’s from a capitation model to a “better outcome” quality of care model. ANS will need to change their focus to better market their excellent record (top 100).

**Cory Atkins** – Cory met with her constituent towns last Friday. Part of the discussion reflected 9C cuts by the governor and his new budget, house 1, that just came out. She indicated that the legislature was unlikely to support the Gov.’s house one. One reason, she said, was that revenue was down and that could impact chapter 70 and chapter 90 monies next year. She also talked about funding the MBTA going forward and, briefly, the impact of the Olympics.

**Metropolitan Planning Organization (MPO)** – the basic discussion this month at the MPO revolved around the rating system that staff uses to prioritize projects within the universe of projects. Currently they use a numeric system range for things like: greenhouse gas, walkability/biking, congestion and travel delay, social justice and regional spending. There was also a discussion on title VI service equity analysis methodology. One of the staff presented a “back casting” study of the Central Artery project

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(commonly known as the big Dig). It was interesting to see what assumptions were made in encouraging federal spending for a project that size. They are beginning their process in evaluating the LRTP (long-range transportation plan – 25 year window) for the upcoming year.

**Crosstown Connect – COA Van meeting** – we met in a joint meeting with the LRTA and MART to discuss the issue of utilizing COA vans purchased by one RTA and used in another. Crosstown Connect would work to combine trips to common locations (like Emerson hospital) to increase utilization. Both RTA's were going to reach out to the state and federal people to determine whether there were any issues that it would affect capital financing (5310) – the most common method of purchasing vehicles.

**Consent Agenda**

Ms. Green to represent the Board for item 19. Ms. Green moved to approve consent items 7-20, Ms. Osman seconded, all Ayes.

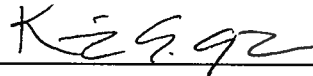
Ms. Green moved to adjourn, Ms. Adachi seconded. All Ayes

Meeting Adjourned at 9:40 PM

Respectfully Submitted,



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Lisa Tomyl, Recording Secretary



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Katie Green, Vice Chair