

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

April 27, 2015

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Peter Berry, Janet Adachi, Franny Osman, Chingsung Chang, Town Manager
Steven Ledoux. Lisa Tomy, Recording Secretary
Chairman Green opened the meeting at 7:00 p.m.

Citizens' Concerns

None

Chairman's Update and Operational Update:

Ms. Green:

Mr. Ledoux:

Public Hearings and Appointments

1. GPAUP, Inc., Class II Dealer License, Non-Display Internet Only, 271 Great Road, Suite 25

Ms. Green read the public hearing notice. Representing GPAUP, Inc was Jack (unknown last name), counsel for the owners of the company. The business will match buyers and sellers over the Internet. Owners will be utilizing flatbed trucks to transport deliveries to and from buyer/sellers – no vehicles will be stored on site. Ms. Adachi moved to approve Class II application, Ms. Osman seconded, All Ayes.

2. Order to Show Cause, Makaha Restaurant –Detective Fred Rentschler, Deputy Chief Rich Burrows and Patrolman John Collins from Acton Police were sworn in by the Clerk. Carolyn Conway, Counsel for Makaha requested to cross examine the Police Department members. The Board will ask questions as well. Detective Rentschler gave a report of the event on the evening of March 5, 2015. Attorney Conway asked who did the redactions on the police report. Detective Rentschler stated it was Town Counsel. Mr. Berry that there should be no discussion of the physical appearance of the person in the video in open session. Mr. Cheng responded to questioning by Attorney Conway as to what happened the night of March 3, 2015. The customer was not a regular but often placed takeout orders. On March 3, she ordered chicken wings and a sombrero and talked on her phone to her mother. Ms. Conway said the video had no audio. The Board voted to go into Executive Session. After about 36 minutes, Ms. Adachi moved to come out of Executive Session and go into regular session, Ms. Osman seconded. The clerk took the role call – all Ayes.

Mr. Berry asked about the police report that the officer took her into the restaurant lobby and whether at that point the officer observed the odor of alcohol, eyes appeared bloodshot and glassy and decided to put her in protective custody. Officer Collins stated that people are put

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into protective custody who are in danger to themselves. After handcuffing, she raised concerns about her personal safety so he took her to Emerson Hospital.

In response to Attorney Conway's questioning, Mr. Cheng said the customer's posture and speech was normal. The Alcoholic Beverage Control Commission hearing on the Makaha appeal will be May 6 at 12:30 p.m. There was some discussion of a condition that the Board imposed in 2005, prohibiting the Makaha from selling alcoholic beverages to customers waiting for takeout orders, but that had not been included in subsequent license renewals.

Audience member Anthony Cardullo spoke in support of the Makaha, commended the Acton Police Department. and said he was disappointed that the Board was having another hearing regarding the liquor license.

Board members agreed that the Police Department had done the right thing but the video was inconclusive on the issue of intoxication, and in the absence of evidence of intoxication, the Board should find no violation.

Ms. Adachi moved to find no violation, with the Board's prior suspension of the license revocation to remain in effect . Ms. Osman seconded. All Ayes

Selectmen's Business

Re-Organization of the Board of Selectmen:

Ms. Osman nominated Ms. Green as Chair, Mr. Berry seconded, all Ayes

Ms. Green nominated Mr. Berry as Vice Chair, Ms. Osman seconded, all Ayes

Mr. Berry nominated Ms. Adachi as Clerk, Ms. Osman seconded, all Ayes.

Discussion of Liaison Assignments

The Board re-organized the Selectmen liaison list. Mr. Berry moved to approve the committee liaison appointments, Ms. Adachi seconded. All Ayes.

Re-Organization of the Municipal Properties Department

Mr. Ledoux gave an overview of the re-organization of the Municipal Properties Department. The plan is to have the department fall under the Director of the Department of Public Works, with Municipal Property Director to become Municipal Property Superintendent, reporting to the DPW Director. The Arborist will become Crew Leader and oversee employees at the Municipal Property Department. Dean Charter as acting Tree Warden will oversee transition as a retiree for a 1-3 year transition while the new Arborist learns the job. Ms. Osman moved to approve the plan, Mr. Chang seconded. All Ayes.

Discussion on Land Use/Economic Development Director Role

Mr. Ledoux gave an overview of the approved Land Use/Economic Development Director role. Mr. Berry recommended that certain committees be part of the selection process, providing input as to how

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this person could help serve the community). Mr. Berry will work with Mr. Ledoux on the solicitation of comments from Town boards and committees. Further discussion will be on May 18th.

Selectmen's Reports:

Ms. Adachi: Acton Boxborough Cultural Council, Friday, 4/10 – annual grantees reception, Sargent Library, Boxborough. Friday, 4/24 – start of month-long film series in Room 204, Friday, 7:00 pm. Collection of film-shorts, very professional, entertaining and of diverse subjects, styles. Series continues 5/1 w/"Hard Day's Night," 50th anniversary version, cleaned up, much better quality than original.

Acton Community Housing Corporation – Housing Production Plan workshop (second one), Thursday, 5/14, 7:00 pm, Room 204.

Acton Water District, Monday, 4/13 – Elections: Ron Parenti new chairman. Discussion of

- new South Acton water treatment plant, which wasn't fully up and running yet but close. Repaving of disturbed roadways—Parker, High, School, etc.—supposed to start week of 4/21 (Lazaro contract)
- Starmet site in Concord - Concerns about potential impact on Assabet wells. AWD and other interested parties would like monitoring well off Knox Trail; AWD will retain counsel specializing in Superfund issues.
- Concord Town Meeting approved 200K for improvements at 37 Knox Trail.
- AWD meeting tonight, new treatment plant and Starmet site on agenda.

Conservation Commission, Wednesday, 4/15 – Approved final Quail Ridge conservation restriction, which eventually will come to Selectmen for approval. Continued discussion of Assabet River Rail Trail extension off Main to Maynard line, including section of very elevated boardwalk over wetlands that Army Corps of Engineers opines won't have permanent impact on wetlands (installation will require dewatering, have temporary impact).

Land Stewardship Committee, Tuesday, 4/21

- Jim Snyder-Grant, long-time chairman, planning to step down, not clear who will succeed him.
- Discussion of new Harris Street property and possibility of some storage space for LSC equipment
- Final Selectmen-approved, MA-approved Open Space and Recreation Plan published, 2014-2021
- Dog-waste bag disposal issues: people are throwing dog waste bags into surrounding areas where bags decompose slowly. Kudos to Sid Levin and other Arboretum neighbors for voluntarily clean up dog-waste every spring.

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Water Resources Advisory Committee, Thursday, 4/16 – Continued refinement of draft stormwater bylaw. Rebekah Lacey, Town Counsel's office, reviewed her proposed revisions, which helped to streamline prose. Town Manager has approved follow-up meeting w/Rebekah in May. Tentative public information session in June and plan to have bylaw ready if there is special town meeting in fall.

Economic Development Committee, Thursday 4/2 – Attended meeting to explain local meals tax proposal and hear from members, who had discussed proposal earlier but had individually varying positions. Ms. Osman reported that members ultimately voted to support proposal, with 2 dissenters.

TRB, Phase 3 (adjacent to CVS and TD Bank, Massachusetts Avenue, Kelley's Corner) Thursday, 4/29 – Update meeting with proponents at Planning Department temporary offices.

495/Metrowest Partnership Water Resources Committee Thursday, 3/26 — Discussion of impact of draft stormwater management permit (regulations) that Environmental Protection Agency issued 9/2014; Town staff from Engineering and Health among attendees.

495/Metrowest Pshp Annual Awards reception, Quest Diagnostics, Marlborough, Wednesday, 4/1

- Private sector award: Joseph Zink, President/CEO of Atlantic Management, who oversaw redevelopment of Marlborough Hills, home to Quest Diagnostics and GE Healthcare, with 1.05 million square feet of office/lab space, 350 1-2 bedroom residential units, 153-room Hilton Garden Inn, 75,000 square feet retail/ restaurant space.

-Public sector award: Dennis Giombetti, Framingham BOS and active in 495/Metrowest Partnership, other organizations.

Acton and Boxborough Diversity Coalition, Thursday, 4/16 – In transition, seeking to assume responsibility for annual MLK, Jr. breakfast that historically local, now defunct No Place for Hate program has hosted at Temple Beth Elohim (national Anti-Defamation League is discontinuing NPFH program); ABDC also likely to revisit mission to focus more on racial/cultural issues that inspired residents to come together 2 years ago. Members will screen "Slavery By Another Name" on Friday, 5/1.

Girl Scout Tour, Thursday, 4/16 – With Town Manager, who provided Town "swag"—pens, paper pads, etc.—and Human Resources Director Marianne Fleckner, who included great exercise, asking girls to write down what careers they hoped to pursue, and seal the documents in envelopes not to be opened until they finished high school in 2022; idea from exercise that Marianne's son did: wanted to become engineer and he did.

Patriots Day, Monday, 4/20 – With husband and college roommate joined Acton and Boxborough Minutemen for march down Strawberry Hill as far as Barretts Mill Road. Drove to Concord later to walk over North Bridge, visit house of emancipated slave Caesar Robbins across Monument Road. That site is one of two Concord sites with Toni Morrison Society benches, part of Society's "Bench by Road"

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program to commemorate sites of significance in African-American history. Would like to explore whether any such sites in Acton.

Council on Aging, Friday, 4/24 – Tribute to volunteers. Said a few words on behalf of Selectmen. Former Selectmen chairman Mike Gowing in audience as handyman volunteer, had assignment to help flip mattress, so another moniker beginning with "M" to add to the Town Meeting tribute to him: "Mattress-Flipper."

Ms. Green: I volunteered with the **Acton Democratic Town Committee's annual food drive**. Patrons of Donelan's and Roche Bros. donated over \$4,500 worth of food and supplies to the Acton Boxborough Food Pantry. Thank you to the donors and to Donelan's and Roche Bros. for hosting us. The **Recreation Commission** met and discussed outreach ideas to gather input on planned renovations to the playground at Jones Field. Keep an eye out for a survey on that topic. The Recreation and Natural Resources Departments are also beginning work on an updated Master Plan for NARA. The **Acton Memorial Library Board of Trustees** also met. They are still looking for a new Assistant Director for the library. They reposted the position as the preferred candidate last round withdrew her application. 2015 is the 125th anniversary of the Acton Memorial Library. The trustees are discussion ways to commemorate the milestone. Stay tuned for more information on that front.

Mr. Berry:

Ms. Osman: **Council on Aging Board** met on April 6, 2015. I was not present as I was getting ready for Town Meeting. Items I see in the draft notes to note include an upcoming June 10 presentation about Virtual Villages, and the plan to create a senior survey for inclusion in the next Town census. There was a well-attended Lion's Club luncheon on St. Patrick's Day. Next meeting Monday, May 4, 2015 at 3:00pm

Economic Development Committee

April 2, Janet Adachi visited and we had a discussion of the upcoming Meals Tax vote at Town Meeting as well as the upcoming vote on zoning changes at Brookside Shops. Motion to support Meals Tax passed 5-2 and to support the zoning changes unanimously.

May 7 the EDC will attend the Acton 2020 Kelley's Corner meeting.

Cemetery 4-8-15

I would like to ask BOS for an ok for the Cemetery Commission to have a dramatic event in the cemetery in fall 2015. The Commission moved that it is ok for the Historical Society to do this as a fundraiser— where civil war era people are portrayed dramatically, describing their lives in the war. Dr. Mary Donald learned about this last year because they did it in Harvard. We want to ask the ok of BOS.

Acton Senior Center Study Committee: Monday, April 13, 2015

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We chose officers: Chris Hamilton will serve as chair, Peter Ashton co-chair.

A subgroup updated the demographic analysis of Acton's Seniors. We will post that so anyone can look at it. Also looked at updated estimates of timeline and cost.

LRTA Long Range Transit Plan committee, April 14, 2015

We looked at the report prepared by a consultant, looked at each of LRTA's fixed routes and recommended changes. We meet again tomorrow. There will be public hearings in the next few weeks to look at the plan.

MassDOT Regional Coordinating Council (RCC) meeting 4-16-15 – hosted by Acton this time, at the library. We clarified subgroups that will work between meetings: legislative, grant-making (informs legislative), and travel information, which includes travel training. Our many-town RCC is co-chaired by Maynard Asst. Town Manager Andrew Scribner and Acton Selectman Franny Osman. Technical support by Theadora Fisher at Human Services Transportation office of Mass.

Transportation Advisory Committee 4-22-15- Over the past year we have started meeting every other month. We seek bike enthusiasts to help us move forward on that front. The April 22 meeting included catch-up on approval of minutes of past meetings.

Mr. Chang – nothing to report

Consent Agenda

Ms. Green moved to adjourn, Ms. Adachi seconded. All Ayes
Meeting Adjourned at 8:40 PM

Respectfully Submitted,



Lisa Tomyl, Recording Secretary



Janet K. Adachi, Clerk