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BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING TOWN CLERK
ACTON

July 11, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Peter J. Berry, Janet K. Adachi, Katie Green, Chingsung Chang, Town Manager Steven Ledoux, Shannon Hurley, Recording Secretary

Absent: Franny Osman

Chairman Berry opened the meeting at 7:00 PM

Jon McGarry (winner of "name the Bull" contest hosted by the Acton Lions Club) banged the gavel to start the Selectmen Meeting. Mr. Berry invited Master McGarry to help lead the recitation of the Pledge of Allegiance.

Citizens' Concerns

None

Chairman's Update and Operational Update:

Mr. Berry –Americans United for Separate of Church and State, has filed a lawsuit against the Town of Acton alleging that Town Meeting's vote to approve funding for preservation of historic church structures violates the Massachusetts Constitution. Community Preservation Act funding does not promote any religious viewpoint. Rather, it serves the important secular public purpose of permanently preserving structures of historical significance in the Town. The Town has approved CPA-funded preservation of many privately held historic structures regardless of their use. The Town respects the views of all taxpayers on the important issues that this litigation raises and will give the issues careful consideration. The Town has unrolled its new website www.acton-ma.gov. More directly links on the Town has received a \$41,000 grant for the Cross Town Connect fixed-route shuttle. Upcoming fall voting: state primary; ballot on September 20 to determine whether to build new Minuteman Tech, and also for the Presidential election. New twist to the Presidential election under state law: early voting. More information will follow on this topic. Discovery Woods, Acton's Children Museum, grand opening next weekend July 16 -17, 2016. Children under 12 are free whether or not you are a member. There is an outdoor play space, accessible for all abilities. Special permit hearing, Concord Water Treatment Plant project to be continued at Concord's request from July 18, 2016 to September 12, 2016.

Mr. Ledoux - Town Clerk/Board of Registrars will come to Selectmen's meeting to speak about early voting two weeks prior to the Presidential election. Acton Leadership Group had first meeting of the new fiscal year on June 30, 2016 that included introductions, going over ground rules: new members include Ms. Adachi for Selectmen, Amy Krishnamurthy from the School Committee, Doug Tindal from the Finance Committee. Other members have stayed the same: Peter Berry, Board of Selectman, Paul Murphy, School Committee, Margaret Busse, FinCom, Glen Brand, Superintendent, Marie Altieri, School

Administration, Stephen Barrett, Finance Director, and Steve Ledoux, Town Manager. Glen and Steve will put together schedule for ALG so there are no conflicts with other meetings. Article in Beacon and Concord Journal about Nagog Pond treatment plant project misrepresented Mr. Ledoux and Counsel so Mr. Ledoux emailed Concord to set the record straight.

Public Hearings and Appointments

7:10 PM – Alleged Underage Service, Red White and Brew – Mr. Berry read the public hearing notice and stated the hearing was rescheduled to August 8, 2016 at 7:30 PM.

7:45 PM - Draft Aggregation Plan – Special Town Meeting approved pursuing a plan. Mary Smith, Steve Long, Matthew Selby, Andrea Ristine, and Steve Ledoux interviewed three firms in May. All unanimously recommended Peregrine Energy as Town's consultant. Peregrine will file with Department of Utilities and Department of Energy Resources. Marlana Petton and Paul Gromer of Peregrine did presentation about municipal electricity aggregation, group purchasing in which a city or town selects an electricity supplier on behalf of its residents and businesses. Under state law it is an opt- out program. All residents will become a part of the program if they do not opt out. There is no fee or penalty to opt out.

Benefits:

- Greener, cost-effective electricity
- Choice for residents
- More predictable prices year round
- Transparency, consumer friendly

Only change residents will see is a change in supplier. Delivery service unchanged. No interruption in service. Anyone eligible for discounts can still get the discounts.

Public education program six weeks before program launch and continue for the duration. Kick off public campaign, 30 days before “launch”; opt-out letter will be sent followed by public information sessions. Target to launch in March.

Eligible customers can opt back in if they opt out but they will be given the market rate and not the program rate. Eligible participants are residents and business in Acton with existing service with Eversource. So a customer with another source would not be eligible and included automatically but could opt into this program and get the program rate. Fall is the best time for procurement. Town has say in how long the comment period will be. Peregrine will submit preliminary plan during comment period, and meet with town representatives to review and discuss both citizen and staff comments, before finalizing with Department of Energy Resources.

David Clough: 14 Evergreen Road–Asked if companies with own aggregator could opt in before or only after the program launches. Ms. Patton explained that they may opt in before or after the program begins. In all cases you would receive the program rate.

Shuyu Lee - 99 Skyline Drive—Asked how this plan will impact the Town financially and how it will affect local business to receive a better electrical service. Mr. Gromer explained that there is no financial impact - no financial commitment to pay Peregrine, and Peregrine does not monitor the kWh delivery—just how it is supplied and paid for.

Steve Long – Green Acton – Expresses appreciation for the support of the Town Manager and Selectmen. Spoke about incentive programs and wants to help consumers use more energy when there is less consumption so the Town can receive lower rates.

8:00 PM – Common Victualler, Filho’s Cucina – Mr. Berry read notice. Application by Ozzie Filho, who recently purchased Bella Famiglia. Ms. Adachi confirmed that Filho’s is dealing with the Planning Department for a new sign and the Health Department for food permitting. Ms. Green moves to approve Common Victualler License for Filho’s Cucino. Mr. Chang Seconds. All Ayes (4-0).

Selectmen’s Business

Goals and Liaison Assignments – Mr. Berry reviewed the short- term and long-term Selectmen goals, and Selectmen agreed on liaison assignments for all goals.

SELECTMEN SHORT TERM GOALS LIASON ASSIGNMENTS

1. Ms. Green – Complete a Master Plan for 348-364 Main Street
2. Ms. Osman – Create a West Acton Development Committee, including Sewer
 1. Mr. Berry - South Acton Train Station and Commuter Solutions
 2. Ms. Adachi – Develop Implementation Plan for new Storm Water Permit
 3. Mr. Chang – Work with Finance Committee and School Committee to enhance Communications with the Public

SELECTMEN LONG TERM GOALS LIASON ASSIGNMENTS

1. Ms. Adachi - Develop Comprehensive Capital Plan
2. Mr. Berry – Analyze Fire and EMS Service Delivery
3. Ms. Green – Build more Affordable Housing
4. Mr. Chang – Develop of Targeted Economic Development Plan for Business Districts
5. Ms. Osman – Develop Plan for Sewer expansion

Ms. Green moved to ratify short and long term goals, Ms. Adachi second. All Ayes.

Discussion on Fall Town Meeting and Closing of Warrant – October 5th is date for tentative Special Town Meeting which would be held in the upper gym since the auditorium is booked.

Mr. Ledoux drafted for the Board's consideration some criteria for calling a Town Meeting, setting aside the issue of whether the Board wants to establish a regular Fall Town Meeting for zoning issues:

1. Issues of timeliness. The Town will lose an opportunity if it doesn't act within a certain period of time. Examples of such are: litigation settlements; purchase of land under the right of first refusal, and certain aspects of labor settlements.

2. Requirements of grants if things such as a local match must be approved.
3. Acceptance of gifts of land.

Two to three possible issues thus far for a possible fall Town Meeting including 1) Fire Union collective bargaining agreement and moving forward with the advanced life support program, which requires Town to notify CMERA 6 months' from July 1 2017; 2) potential senior center lease issues; committee reviewing proposals is evaluating three sites. The Board agrees that the criteria are helpful documentation but moving item #2 into #1. 3) proposed Community Preservation Acton surcharge increase. Town Manager recommends holding off on closing warrant until August.

Discussion on Designation of Implementing Authority Pursuant to Section 5.1 of Bylaw X– Ms. Adachi explained that under the new storm water bylaw, Bylaw X, the Selectmen were responsible for implementing the requirements or designating Town staff members to assume that responsibility. She proposed a motion for designation of Implementing Authority under Bylaw X: Move pursuant to Section 8.1 of Town of Acton Bylaw X, pertaining to storm water management and erosion and sediment control ("Bylaw X"), that:

- 1) the Acton Board of Selectmen designate collectively the Land Use and Economic Development Director, the Town Engineer/Public Works Director, and the Town of Acton departments under their administrative authority as the Implementing Authority under Bylaw X responsible for carrying out the provisions of Bylaw X as well as any related Regulations that the Board of Selectmen may adopt; and
- 2) the designated Implementing Authority report at least annually to the Board of Selectmen on the status of implementation efforts under Bylaw X.

Ms. Green seconded . All Ayes (4-0)

Selectmen to Approve Acton 2020 Committee Membership Change –Mr. Berry made a correction, explaining that the proposed change in membership should be from 7 full members to 5 full members with continuation of two associates (and not 5 members to 3 members as listed in the agenda). With that change Mr. Berry moved to change the membership of Acton 2020 from 7 to 5 full members. Ms. Green second. All Ayes (4-0).

Discussion of a 3 Board Meeting- ALG meeting - Mr. Berry explained that the meeting would include members of the School Committee, Finance Committee, Board of Selectmen. He has been communicating with FinComm chairman Margaret Busse, and School Committee vice chairman for Acton Amy Krishnamurthy. Amy offered to host the three-Board meeting. Mr. Ledoux suggested team-building exercises to help with communication between Boards. Mr. Berry has a July 20, 2016 meeting with Ms. Busse and Ms. Krishnamurthy. The meeting will be posted and therefore open to the public. The thought was that Acton Leadership group facilitator Bart Wendell would moderate team-building

exercises and the meeting then would adjourn to a more social situation. Also discussion of another 3-board meeting in October.

Board members supportive of 3-board meeting, willing to help. Ms. Green would like more emphasis on team building. Mr. Ledoux will look into accessibility since public meetings must be accessible to all.

Selectmen's Reports:

Selectmen Reports are included in the agenda packet on DocuShare. There were no questions.

Consent Agenda

Item 9 held by Ms. Green. Hold approval of draft minutes until next meeting.

Ms. Green moved to approve consent items 10-23, Mr. Chang seconded. All Ayes (4-0)

Ms. Green moved to adjourn. Mr. Chang seconded. All Ayes (4-0). Meeting adjourned at 8:24 PM

Respectfully Submitted,


Shannon Hurley, Recording Secretary


Janet Adachi, Acting Clerk