

Town Clerk

Board of Selectmen's Minutes
June 20, 1995



The Board of Selectmen held their regular meeting on Tuesday, June 20, 1995 at 7:30 P.M. Present were William C. Mullin, Nancy Tavernier, F. Dore' Hunter, Herman Kabakoff, Wayne Friedrichs and Town Manager Don P. Johnson.

(Meeting was Broadcast by Cable)

CITIZEN'S CONCERNS

It was with deepest sympathy and loss that Chairman Mullin expressed the Board and staff's feeling of sadness and loss at the passing of Norman Lake. Mr. Mullin outlined Norm's many contributions to the community and fellow Board members both professionally and personally. It was the Board's wish that he be remembered for his years of service to Acton, and announced the time and date of the memorial services.

PUBLIC HEARINGS AND APPOINTMENTS

NEW ENGLAND TELEPHONE & TELEGRAPH CONCORD ROAD

NANCY TAVERNIER - Moved to approve noting staff conditions with regard to re-paving.
DORE' HUNTER - Second. UNANIMOUS VOTE

AMENDMENT TO THE TRAFFIC RULES AND ORDERS STOP SIGN INSTALLATION - STOW/MARTIN STREET

NANCY TAVERNIER - MOVED to approve. HERMAN KABAKOFF - Second.
UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

BLOCK PARTY REQUEST WHEELER RECREATION AREA

The Board discussed the request for street closure in association with the Field Day. The Manager outlined the process that has been followed in the past regarding the granting authority being with the Police Department with coordination with the Fire Department.

NANCY TAVERNIER - moved to approve. DORE' HUNTER - Second. UNANIMOUS VOTE.

CONTRACT WITH BUSINESS COMMUNITY

The Board discussed the final action plan developed in conjunction with discussions with the Chamber and the Mr. Mullin. Mr. Kabakoff asked for clarification on two issues that had been suggested by the chamber which he did not see reflected in the final plan. Mr. Mullin described the discussions and final agreements that were made between the representatives regarding these issues. Mr. Mullin asked the Manager how many people came for the first open door. Mr. Johnson said that he had no visitors, however, he suspected that as the word goes out among the members they will start to utilize this forum. Mrs. Tavernier suggested that the Open Door time be placed in the paper for the business community to avail themselves of this service.

DORE' HUNTER - Moved to approve the Final version of the Action Plan as presented.
NANCY TAVERNIER - Second. UNANIMOUS VOTE.

PERSONNEL BYLAW DISCUSSION

Mr. Kabakoff outlined his purpose for asking that this issue be discussed. He had received two phone calls regarding the fact that the bylaw called for appointment of a Personnel Board and that it was non-existent. He felt that if a bylaw said we should have a Personnel Board we should have one.

Mr. Friedrichs also noted he had received two or three phone calls on the subject at home. Two were complaints that we did not have a Board and one was to ask that they not reinstate the Board. He personally feels that town staff is doing a good job and that there are more issues to handle of greater importance, and would like to see the Board's energies put to those issues.

Mr. Hunter felt citizen participation is always welcome, however, he did not appreciate the manner in which the issue was raised during discussion of an irrelevant issue at Town Meeting. He has no problem reconstituting this Board if qualified Human Resource people were available and that the Bylaw should also be reviewed. He said it was unfortunate that we had not been able to hire a Human Resource person at the money available to the Town. Mr. Hunter further asked if the Town Manager had a problem with reconstituting the Personnel Board. Mr. Johnson said no. Mr. Hunter suggested that a specific mission and job description/charge would be helpful to recruit the new members.

Mrs. Tavernier wanted to know if the problems cited were perceived or real. She agreed that the Board should give VCC a chance to recruit three potential members qualified in the Human Resource field for Board review. She indicated that if the three professionals were not found, the Board would not be reconstituted without those qualified professionals. She further noted the LWV year-long study of the Charter and the League's upcoming plans for presenting suggested changes to the Charter.

Mr. Friedrichs agreed with Nancy. He has been contacted by citizens, and felt that if we could not find the three qualified professionals, reference to the Personnel Board should be removed from the Bylaw.

DORE' HUNTER - Moved to refer the question of recruitment of qualified Human Resource candidates to the VCC to see if they can get a nucleus interested in serving and forward their names to the Board of Selectmen for review. NANCY TAVERNIER - Second.

The Board further discussed this issues surrounding the bylaw and proposed action as outlined in Mr. Hunter's motion. The Board was in agreement that any reconstituted Personnel Board would have to be manned with the required active Human Resources professionals

Mr. Kabakoff said that in addition to the three members with HR background there was room for two more individuals as the bylaw is written and urged volunteers to apply.

Mr. Mullin was inclined to eliminate the layers, if the Board was not needed reference to it should be changed. He was torn since the bylaw says there shall be a Board, but if the search by Vcc resulted in no qualified persons being recruited, the bylaw should be amended to delete the reference.

NANCY TAVERNIER - Moved to make a recommendation whether or not to go forward with reconstituting the Personnel Board at the October 10, 1995 meeting after input was received and reviewed from the VCC. **WILLIAM MULLIN** - Second. 3-1 Motion Passed with Mr. Kabakoff voting No and Mr. Hunter Abstaining.

1995 COMMITTEE ASSIGNMENTS AND MEETING SCHEDULE

The Chairman outlined the recent development with staff of the BOS calendar. He cautioned that the calendar was for planning purposes and not cast in stone.

The Board agreed with the final committee assignments as proposed by the Chair. It was suggested that Mr. Kabakoff be assigned as the Board's representative to Cable Advisory Committee. Mr. Kabakoff accepted the assignment.

SEWER ACTION COMMITTEE

The Board discussed the need to address the Millcorner issues. Primarily issues revolve around cost. The residents of Millcorner would like to help the neighborhood however they have issues which they would like resolved. Cost is the most important issue to be resolved. Nancy and Dore' wanted to get Board permission to go to SEA to get a report with quick turnaround time. The estimate is 15,000 to 20,000 to develop a second scenario run and cost impact to move the plant down the hill. Dore' outlined the factors associated with the plant placement and leaching field.

This is an immediate solution for South Acton Center. The major problem with sewers in Acton is we have no place to put the effluent. At Mill Corner all the structural items are in place. The answers to questions need to be obtained so that an engineer can answer outstanding issues. Mr. Mullin asked the Town Manager if we had any year-end funds to obtain the engineering review required to determine feasibility and costs. Don felt that since departments are within their budgets, there are pension turn backs, Insurance monies, no use of the Reserve Fund, Minuteman funds that are not now required, all these items collectively we would have more than enough to allot some of the year end monies to this project.

DORE' HUNTER - Moved to authorize the Town Manager to use year-end monies not to exceed \$20,000 to conduct a feasibility study to augment the 1993 study to answer the questions about reconfiguration and price to do such reconfiguration at Mill Corner. **NANCY TAVERNIER**- Second. UNANIMOUS VOTE.

Tom Mackey, resident of Nagog Woods reiterated the commitment to have an engineering plan to review an entire town solution and felt that since experiencing life on a small package plant that it could be feasible and thought that perhaps that the package plants could be built and later made into backbone connections to connect the entire town. He urged them to strike while the iron was hot. He supports the Board 100% and urged them to have a road map in place, and that the Board of Selectmen should serve in the leadership role in getting the entire town in line.

Mrs. Tavernier said the plan is in place, a 20 year plan has been developed by former Selectmen William Weeks. And that perhaps the Millcorner project could serve as a pilot project for the town.

The Board was asked about the feedback received from the FinCom regarding the financial impact study as outlined in the Sewer Action Plan. They have discussed this and felt that they did not have the members or time to perform the task. Fin Com members suggested the need for a sewer consultant.

Mr. Kabakoff asked where the money would come from if there is a need for additional study monies in the next fiscal year. Mr. Hunter felt that policy decision on how to spend the existing \$300,000 gift money would be developed. A Special Town Meeting would be called to address how additional funding would be provided for if the option agreement is in place. It was agreed to make it clear that this would address costs to solve only a sub-set of South Acton.

2001 Common Ground Meeting - The Board was updated on the June 29th meeting scheduled from 3:00 P.M. to 9:00 P.M. in the Jr. High Library.

Hearing Room Acoustics - The Board discussed the recent complaint of Evelyn Olschewski regarding the possible installation of drapes in the hearing room. Mrs. Tavernier asked if year end monies could be used for the purchase and installation of these suggested drapes and improved audience seating. Mr. Mullin felt we need a comprehensive answer to the problem instead of taking a piece meal approach. He suggested inclusion in a budget cycle or "Wish List" approach. Mr. Hunter was not comfortable taking year end monies and suggested that it be included in the next budget cycle for review.

CAC Feasibility Study - Mr. Hunter felt we could review plans and ideas now so we could be included in the proposed feasibility study. We should balance off alternatives so that it won't be Acton Vs. Concord situation, and suggested inclusion of public participation and involvement. It was decided to ask that all boards be given the opportunity to give comment and create a public forum for discussion. Mrs. Tavernier suggested the Board of Selectmen's October 5th meeting for public discussion.

Rosen Associates - Mr. Kabakoff asked if Bill had spoken to Mr. Jutten. Mr. Mullin said he had not.

Kadlec/Johnston Letter - Mr. Kabakoff asked for Board's opinion on the referenced letter to the State. Mr. Hunter felt it was a "tempest in a tea pot". He felt that our experience has been that when directed by Town Meeting, their wishes have been carried out regardless of process.

Kelly's Corner Truck Noise Complaint - Staff was asked to draft a letter to complainants conveying the Town's commitment to resolution.

Selective Service - Mr. Kabakoff asked about action on this item. The Board's consensus was that they would be taking no action as previously discussed.

MAGIC - Mr. Mullin reviewed Magic's Economic Development Regional report, he felt anything we could do to help business grow and prosper would be beneficial. He felt the report was interesting and suggested ways communities could assist business with growth. He further asked for Board support regarding the MAED- MAPC Site Finder Service. **WILLIAM MULLIN** - Moved to allow the Chairman to send a letter of support to MAGIC to endorse the MAED Agreement. **NANCY TAVERNIER** - Second. UNANIMOUS VOTE.

Overlay Update - The Board was advised that the Board of Assessors has voted to return \$222,000 from the overlay account to Free Cash.

CONSENT AGENDA

DORE' HUNTER - Moved to accept the Consent Calendar Items with Item (8) Minutes May 9 and 23rd Amended to reflect Mr. Kabakoff's comments. **HERMAN KABAKOFF** - Second. UNANIMOUS VOTE.

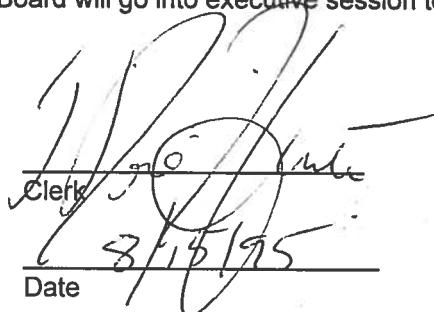
TOWN MANAGER'S REPORT

Fire Marshall Advisory - The Town Manager updated the Board on recent announcement from the Fire Marshall regarding radiant ceiling panels. He has reviewed this issue with Town Counsel and would like to put a notice in the newspaper to advise/notify citizens of the potential hazard. **DORE' HUNTER** - Moved to authorize the placement of the warning as drafted by Town Counsel in the local paper. **WAYNE FRIEDRICH**S - Second. UNANIMOUS VOTE.

EXECUTIVE SESSION

DORE' HUNTER - Took roll call - All ayes, the Board will go into executive session to discuss negotiations.

The Board adjourned at 9:30 P.M.



Handwritten signature of Christine M. Joyce, Clerk, dated 8/15/95.

Christine M. Joyce
Recording Secty.
June2095.DOC

June 16, 1995

TO: Board of Selectmen
FROM: William C. Mullin, Chairman
SUBJECT: Selectmen's Report

AGENDA
Room 204
June 20, 1995

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 **NEW ENGLAND TELEPHONE** - Concord Road - Enclosed please find a request and Staff recommendation regarding the enclosed petition for Board action.
2. 7:35 **AMENDMENT TO TRAFFIC RULES AND ORDERS** - Stow/Martin Street - Stop Sign Installation- Enclosed please find Public Hearing Notice and supporting documents required to amend the Traffic Rules and Order for the installation of a Stop Sign for Board Public Hearing and action.

III. SELECTMEN'S BUSINESS

3. **BLOCK PARTY REQUEST** - Enclosed please find a request and Staff recommendation regarding Wheeler Recreation Area's proposed Field Day on July 8th for Board action.
4. **CONTRACT WITH BUSINESS COMMUNITY** - Enclosed please find the latest revision for Board member comment and action.
5. **PERSONNEL BOARD DISCUSSION**
6. **1995 SCHEDULE AND COMMITTEE ASSIGNMENTS** - Enclosed please find the revised Committee Assignment List for May 95-May 96, and Board Meeting Schedule through December.
7. **SEWER ACTION COMMITTEE** - Selectmen Hunter and Tavernier wish to discuss allocations of year end Monies for a consultant to assist with several technical questions.

IV. CONSENT AGENDA

8. **ACCEPT MINUTES** - Enclosed please find Board minutes from May 9 and 23 for Board acceptance.

9. **SITE PLAN SPECIAL USE PERMIT #4/24/95-349** - Enclosed please find the decision for Board review and action as prepared by staff.
10. **SAVORY LANE - SECURITY RELEASE** - Enclosed please find a request for security release from staff for Board action.

V. TOWN MANAGER'S REPORT

11. **FIRE MARSHALL ADVISORY** - Enclosed please find information regarding Electric Radian Ceiling Heating Panels. The Town Manager will update the Board on Tuesday evening.

VI. EXECUTIVE SESSION

MEETINGS

ADDITIONAL INFORMATION

Enclosed please find additional 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.

July 11 - No Public Hearings scheduled as of this date.
August 15

Pcc/June20.DOC