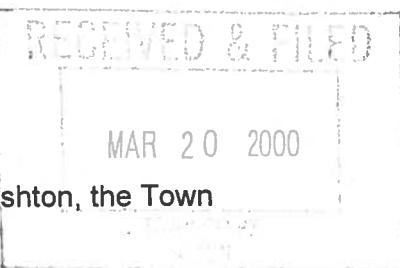


SELECTMEN'S MINUTES February 15, 2000



Present: Herman Kabakoff, Wayne Friedrichs, William Shupert, Peter Ashton, the Town Manager and Asst. Town Manager. Mr. Hunter was absent.
(The meeting was televised)

CITIZEN'S CONCERNS

None

PUBLIC HEARINGS AND APPOINTMENTS

Library Endowment Presentation – Henry Hogan on behalf of the AML Board of Trustees was present to endorse the formal presentation to the Town of the AML Endowment Fund money. The Board thanked the Trustees and Foundation as well and the Endowment Fund donors on their success and appreciated gift to the AML.

Planning Board

Chris Tolley representing the Planning Board discussed the Planning Board's recommendations regarding articles.

They are recommending Article O that would make Powdermill Road a single district.

Article P Technology District in South Acton includes Knox Trail, Independence Road, and property of W. R. Grace.

Article Q is a housekeeping to relieve split parcels going to all commercial use to reflect the actual use.

Article R. revision of principal use table and the intention is to make it user friendly to allow more uses.

Article S – Senior residence is for a completely independent senior housing and provisions for open space.

Article T – response to PCRC and expand set backs and number of units.

Article U – Housekeeping to tighten up some language. These are the articles that they are recommending this year. They have voted to take off several articles at this time from the original submittal. They decided to not go through with Limited Residential articles they will rethink them.

Peter also is pleased that the number of articles has been reduced from the original submittal. He feels we all need to continue to reach out to the Citizens. It will give a good idea of where we want to be 25 years from now.

Peter asked what they are planning on doing in the interim, are they planning on special town meeting in the Fall. They are overwhelmed with what they have now on their plate and they plan to revisit the issues including limiting residential development. Mr. Tolley feels if the Town really wants to preserve open space then the Town should purchase it.

Peter noted we will and should review the Open Space Report; he also asked if the TAC had been consulted on the zoning articles.

Wayne said that TAC had contacted him about the upcoming articles with regard to traffic that could be created in commercial development. Peter had concerns with the table of uses, and where it all stands. Wayne said a new one was voted last night and they reduced SPS and went back to the original use table and made minor clarifications.

Trey supports the articles as presented. He said we always get the comment that we don't have enough input. A lot of work has gone into these changes over the past 6 or 8 months. He asked if they would be ready to go forward or delay to next Annual Town Meeting, he asked if they had to say, probably the next Annual town meeting. A lot of the articles raised questions and issues and they want to spend more time on them.

Lauren Rosenzwig – She reminded everyone that the articles would need to be "tweaked". She wants to continue to have public outreach.

Anne Fanton. Complemented the boards on the process. They have listened and she is comfortable with them. She still has questions and encouraged the Planning Board to explain the Articles at the March 4th meeting.

Mr. Sullivan spoke about the effort to allow office use in a commercial zone and that it has been included.

Bill Lawrence – concerned with the table of uses. He asked if it is still cast in stone as of tonight. Wayne assured it will and could be "tweaked".

PETER ASHTON - Moved to place articles O-T on the warrant – TREY SHUPERT - Second. UNANIMOUS VOTE.

Herman wanted to put an atricle on the warrant allowing drive through. He felt that we should let the community decide if they do or don't want them. He wanted to give the town meeting the decision. He is not advocating that we recommend but simply include it on the Warrant. HERMAN KABAKOFF –Moved to place an article that would permit drive through service facilities in Acton – WAYNE FRIEDRICHES – Second – 2-2 Herman and Wayne, yes and Trey and Peter, No – Motion Fails.

Peter said that he thought this had been discussed at EDC and that they voted not to put this forward. Wayne said it was a majority of EDC and it was postponed with the other articles.

Peter suggested we go back to see what they voted regarding this.

Trey said he was going to oppose his motion. He said that it is very clear that the citizens at large don't want drive through and that they have a host of problems that go with them. He feels it should not be brought forward. Trey said this about leadership; he feels we as a body have to play a leadership role and does not support going forward at town meeting. He asked if Herman would support this. He said he, as a citizen would support it.

Wayne said leadership is helping them to make a decision and he looks at it differently. He feels that we need the input and need to educate the public. He does not know if he will vote for it or not. He will support the Chairman if he wants to bring this article forward.

Peter referred to the EDC minutes and it indicated that they voted to drop article 9, and he won't vote to support it.

SELECTMEN'S BUSINESS

Eagle Scout Court of Honor – Trey Shupert will represent the Board.

ETA Legislation - Don Johnson said that they have gone to counsel and there are a couple of things in your packet regarding this. Donna said that she had received information that Boxboro didn't need us for local ETA, they might need us for a regional ETA. Don noted that Managers from surrounding towns have contacted him. The EDC through Wayne, feels it is uncertain and asked how it would benefit Acton. He said they are not anxious to jump into this.

Lynne Tokarczyk MOBD – She noted this is going to be a job creation. real estate development issue for communities. They have 37 target areas and they can have as many communities as long as they are contiguous. The benefits are many. There is a process and the town dictates what type of business they want to attract. It is a partnership between the State and town. Acton could never meet the criteria on its own. And that is why Boxboro asked us to become involved. They are looking to work with the towns and we could piggyback onto a regional event.

Herman asked if Boxborough could go forward by itself. She said no, it had to be a regional area, and would go ahead with it if Littleton were on board.

Wayne said if we do a regional technology with another town the business that located into Acton would get the tax benefit. It would give us a marketing tool to maintain the companies. The entire town would be ETA and within the areas other EOA's. Peter asked about where we stand on this and have we heard from Boxborough? Don noted that he had received information that Boxborough had achieved enough development to not require Acton's participation.

Warrant Discussion

PETER ASHTON - Moved to take the \$10,000 for lighting out of the Warrant.
WAYNE FRIEDRICHES - Second 3-1 Peter No, Motion loses. Don asked them to keep it

in and said purely on aesthetics and it would be a shame if we don't finish the project and remove the floodlight.

Peter said anything under \$25,000 be put in the Operating budget, such as the Fire Dept. Hurst Tool (Jaws of Life) and copier, Municipal Properties, \$8,000 lights, \$10,000 three items by Natural Resources for gates etc \$19,040, COA copier, Police repeater and weapons, Engineering \$20,000, FIN COM \$1,500 for computer, and Highway generator, and fork lift \$26,000 as well as the phones for police and fire \$30,000. WAYNE FRIEDRICHES - Second. 2-2. Motion fails.

Herman feels that the amount should be \$5,000 and over for placement in the Operating Budget. Peter feels \$5,000 is too low. Herman felt he could support \$10,000, and move \$52,000 into Operating Budget.

Herman is opposed to going up to \$25,000 and felt that we have traditionally put these in the sunshine.

Wayne said he agreed with both but that we take out the repetitive and pull out the higher priced items.

Trey agreed to operate in the sunshine and wanted to put a number of items in the Operating Budget and still call them out at town meeting. Herman cautioned the risk of putting it into the budget. He wanted the cut off limit increased to \$15,000.

TREY SHUPERT – Moved to include \$10,000 and under except for the Fire Departments Hurst Tool, (jaws of life). WAYNE FRIEDRICHES – Second. – 3-1 passes Herman no

Herman spoke about the finance request and also about the replacement of third police vehicle. Is it switched from cruiser to four-wheel drive. John said we are replacing a cruiser with the Ford Expedition to be used by Patrol Supervisors.

PETER ASHTON - Move that we approve the budget and capital budget as voted. WAYNE FRIEDRICHES – Second. UNANIMOUS VOTE.

Refer to the handwritten notes. HERMAN KABAKOFF- Moved that all articles including Senior Center and School articles be placed on the warrant – PETER ASHTON – Second UNANIMOUS VOTE.

HERMAN KABAKOFF – Move to recommend inclusion of the following articles. TREY SHUPERT - Second

Recommend Placing the following articles on the Warrant

- A- Rail Trail Feasibility – Need dollar amount
- B- Sale of Foreclosed properties
- C- Supplemental Assessments
- D- Amend E-42 Town Bylaws to allow Alcohol in Public
- E- Sewer Enterprise Budget

F- Carlisle Road Land purchase
G Amend Town Bylaws Sale of Tobacco and Smoking products
H- Economic Development
I- Accept Land Gift – Carlton Drive Extension
J- Accept Land Gift – Main Street if the taxes are paid – The board asked if the article could be worded to include selling of the parcel – John said it may impact the gift, and that it could be general municipal Property and might be able to be used for pump station.
K- Land Gift 10 Carlisle Road
L- Accept Sidewalk Easement, Pope Road
M- Accept Sidewalk Easement, High Street
N- Town Board Support
O-T Zoning articles
V- Amend Town Bylaw, Historic District Bylaw
W- Elderly Tax Relief Accept Chapter 73 of acts of 1986
X- Earth Day Resolution
Y- Senior Center
Add school articles (BoilerPlate)

ALG Meeting- John discussed his memo regarding ALG and schools using interest revenues. He wanted to know how the board wanted to handle the interest revenues in the ALG plan. Herman felt that it is inconsistent that they do it one way and we another, and personally felt we should change. Each committee voted to have each handle the interest in their prescribed manner. Peter noted that ALG had agreed to handle it this way.

Don's opinion that it was frustrating to put the revenues up for one side. He feels it should come forward and become part of the plan. Herman said that they should be urged to bring the revenues forward. Wayne urged the citizens to urge the School Committee to include the revenues the way the town does.

EDIC – WAYNE FRIEDRICHES – Move to put EDIC article on warrant – HERMAN KABAKOFF – Second. UNANIMOUS VOTE

Peter was confused with sections 5 and 11 and the fiscal responsibility, he reads them and it still says the Town may appropriate money for EDIC and it needs to be clear that the town won't be on the hook,. Josh Chernin said that if they want to be on the hook they can, but there is a legal firewall and the town is not liable for anything. The second way the town could choose to back the debts and back the bonds. He said that in other EDIC's it has not been done.

SELECTMEN'S BUSINESS

WAYNE FRIEDRICHES – Moved to leave the decision regarding the Salt Storage request from Audubon Hill up to the Town Manager. – TREY SHUPERT Second. UNANIMOUS VOTE

SUNSETTING POSITION – Trey said that some of those positions could be continued to associate for one-year terms. Herman's opinion is that we appreciate people serving the

town long term and should be willing to take associate position, but defeats the sunsetting rule. He said we needed new blood.

CONSENT

PETER ASHTON –Moved to approve Consent Items – TREY SHUPERT – Second.
UNANIMOUS VOTE

TOWN MANAGER'S REPORT

Naming of Town Facilities

Herman wanted to wait until Dore' was present to discuss this. Put off until next meeting. Herman asked for pro and con thought with regard to Elm Street in the context of the proposal if adopted.

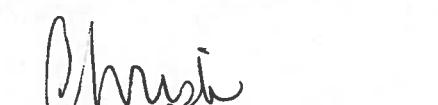
Property back taxes. –The Town has been approached by an abutter of property the Town took under tax title at Heather on the Hill, to see if the town would like to sell. Herman needs to know a lot more. Have the person come in next meeting and have conservation or planning to review for potential use.

Carlisle Road Land – David Santomana Trust for Public Lands has let us know that they have come to signed agreement with Dexter and they pursued the property to buy it outright and to come to terms with the 234 parcel pending town meeting vote of \$7.8 million. Town could seek self-help funds of approximately 500,000. Of the 234 acres, 209 will be tied up in conservation restrictions and the 25 remaining will be available for general municipal use. They are talking about a super restrictions clause that would keep it restricted, this also includes no development. Peter asked for staff input. Financial impact analysis data will be prepared.



Clerk
3/14/00

Date



Christine Joyce