

SELECTMEN'S MINUTES

May 23, 2005

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JUN - 8 2005

TOWN CLERK
ACTION

Present, Peter Ashton, Walter Foster, Lauren Rosenzweig, Town Manager and **Ast.**
Town Manager. (Mr. Hunter and Mr. Johnson were absent for the meeting)

(The meeting was televised)

CITIZEN'S CONCERNS

Clemetz Moritz, Spoke about the difficulty trying to make a left or right turn due to signs and other hazardous traffic conditions on Wetherbee Street.

He wanted a light at the intersection. Don reported he has spoken with Garry and they are trying to carve out time to address the sign issue.

Peter said that they have discussed the issue of traffic lights on Route 2A, and he felt that a light was needed to exit Wetherbee Street safely. The Town is still waiting to see where the light will be installed along Great Road. Peter said that he will get back to him.

PUBLIC HEARINGS AND APPOINTMENTS

OPERATIONAL MINUTE – Don reported on the Armed Robbery at Olsen's Jewelers. They were caught within 2 hours. NSTAR strike is causing problems in Acton. They have had protesters impeding the replacement of a pole on Taylor Street.

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)

Doug Halley made a presentation on the NPDES permit Status. The report will be on the Web site. He gave a slide show of the efforts they are taking with regard to this permit. They are cleaning the storm drains and checking areas where Mosquitoes breed. He noted a Tufts Graduate Student did a report on the compliance of the program.

Lauren noted she was following this on the Planning Board and she thanked all who participated.

Walter asked why we need to clean a catch basin. It is required because it would go out to the streams. He wanted to have a maintenance fee to maintain these Catch Basins implemented for developers and those tied into our drains.

Peter thanked staff and Stream Teams and SUASCO for their efforts.

Peter asked about the Ice House Pond measuring gauge. Doug noted we have had good reports, but there is a hot spot at the Ice House Pond during the summer months.

Mary Michleman asked Doug about the sign at Ice House Pond and the fact that they are getting results in Concord. She thanked the Board for the support with regard to the Signs for Streams. Tom Tidman, Dick Hatfield and Mary are getting a Water Steward Award.

COMMITTEE INTERVIEW, BRUCE REICHLEN, ASSOCIATE MEMBER OF THE PLANNING -

He was asked that he describe his business. He left GTE and started a wireless internet. The wire Condos, time shares, etc. They go in and install for use by the guests. His children are in college and now has time to volunteer. He has attended several meetings of the Planning Board. Walter asked about the Kelley's Corner zoning. He said yes he was in Town then. He feels that there is still room for improvement not only at Kelley's Corner but at other areas in town.

Lauren thanked him and asked if he had a chance to read the Master Plan Update. He had not. He has been in Town for 18 years and asked him for three things he would like changes. He likes the village settings; East Acton can grow more into that. North Acton needs attention. He likes that the Sewer system went in, he also likes the work at the schools. He thinks that Acton has grown in a nice way and would like to have it continue that way. Lauren asked about his qualities and working relationships.

Peter asked about sidewalks. We feel very strongly about the sidewalks in residential and commercial Development. He has not looked at the Zoning Bylaw, he looked at it a couple of years ago. He is interested in the Planning Board, but would look at others if he was not appointed.

NOT YOUR AVERAGE JOE'S, 291-307 MAIN STREET, COMMON VICTUALLER LICENSE

Owners of Joe's were in to discuss the need for a Common Victualler's License. They will open a 200 seat restaurant at 301 Main Street. Walter asked about the Board of Health comments and they will get in touch with them.

WALTER FOSTER - Moved to close the hearing and approve pending appropriate materials forwarded to the Board of Health. LAUREN ROSENZWEIG – Second. UNANIMOUS VOTE.

NOT YOUR AVERAGE JOE'S, 291-307 MAIN STREET, FULL LIQUOR LICENSE AS A COMMON VICTUALLER

Alex Parra presented the lease and the green cards for notification to abutters. Walter noted the importance of the serving of alcohol and ramifications with regard to this license. All servers will be tips trained.

Peter reiterated the seriousness of the responsibility of liquor establishment. Peter asked about the second page, taking beverage orders. He asked about the highlighted portions. They did that on purpose to make the employees read and remember the rules.

WALTER FOSTER -Moved to approve the License contingent upon appropriate responses to BOH and approval of the Special Permit. LAURENT ROSENZWEIG – second. UNANIMOUS VOTE

COMMISSION ON DISABILITIES

Elizabeth Franklin spoke about the playground accessibility. Brenda Viola read from the 2000 report on 504 Accessibility Legislation and the need for the schools to be accessible as well at our local parks and NARA Park. They said that they need to address these violations and referred to Nancy McShea's memo.

We need to be doing ADA. Lauren asked about funds to help these types of activities. They will be looking toward Grants to get some of these items updated. Lauren asked that they review all new playgrounds in the future.

Dana Snyder-Grant noted that Dean Charter be involved in this playground issues. Walter noted that their work should be supported. He suggested that they get a table at town meeting to advertise their availability. He asked that they make a presentation to the CPC about their committee and possible funds for Recreation.

Peter asked them to contact the School committee and go to their meetings and make a presentation regarding the School's playgrounds. He also noted that they be speaking to the Recreation Commission as Dean Charter does not oversee the playgrounds at this time.

COMMITTEE INTERVIEW, SUSAN KENNEDY, ASSOCIATE MEMBER OF THE PLANNING BOARD

Walter asked her to expand on her background and why she was interested in the Planning Board. She has worked on EAVC. He asked what talents she would bring to the Planning Board. She thinks brainstorming is important with groups that she has worked on. He asked her about Kelly's Corner planning articles, and would it be worth while to review it again. She thought yes, there have been changes since the last plan. She feels they should be put in incremental Plan. She noted that she feels that we could go back and look at the EAVC in the future. She was asked to respond to her comment to the VCC about the Planning Board needs to have a more diverse representation on its Board. She said she did not remember making that comment.

Lauren asked three things about Acton has been developed and three areas that need to be addressed. She likes the Master Plan, she likes village center ideas. Lauren asked about Smart Growth and how she feels about diversity in Town Centers and housing, big houses or apartments. Susan spoke about Smart Growth and has been on their Web site.

Peter asked about the Household Ministry work. Peter asked if there would be any other board or committee. She might be interested in. She said perhaps.

EMPLOYEE COMPENSATION

John gave an overview of his presentation. He noted Municipal Operations are labor intensive services. Peter spoke about the survey done 10 years ago and work we need to do so we are not on the low side. Peter said he wanted more information on Mortgage assistance. He also said that it should be presented to the Finance Committee.

Lauren spoke about the Globe article and wanted to know how we compare to other towns. She said we have loyal employees and she said we need to make them feel worthwhile.

Herman said we should present this to the Finance Committee. He also asked if this presentation available on the Web.

SELECTMEN'S BUSINESS

SPECIAL TOWN MEETING WARRANT – We have five articles, days of operation for the transfer station, Pricing Model or Transfer station flat fee or pay as you throw, State owned land acquisition, and this will probably come off. Land fill cover bylaw and resolutions submitted by citizen petition articles and support from the Board.

Article 1 – Hours of operation -

Article 2 – Payment models

Jim Snyder Grant prepared some handouts for Pay As You Throw. They find that people they have spoken to like PAYT. He would like to provide a handout at the transfer station on the next three Saturdays. He has volunteers set up to answer questions and give out flyers. He asked that the Board support this flyer and to devise a pricing model as quickly as possible.

Peter felt that more information we get out the better.

Walter was concerned about process and did not want us to move forward in a rushed manner. He thinks we need to proceed slowly. He agrees that it is a very complex issue and needs a full vet and presented to the LWV and other groups.

Peter wanted to see a flyer that had a balanced view and cost of PAYT. One side for PAYT and straight fee on the other side. Hopefully people will get the facts on both sides of the issue.

Walter will abstain he feels it is a Town Meeting issue. Deferred

Article 2 – Pay as you throw – would change the pricing from sticker to pay as you throw. Walter supported this. Peter said that we should vote to Defer. WALTER FOSTER Moved to vote to have the Selectmen as Recommended. LAUREN ROSENZWEIG – second. Walter asked to rescind his Motion.

Article 3 – Pass over for now.

Article 4 – Peter asked Sue if she concurred with the latest version. She felt it is ok but questioned the Wetland definition. They are trying to narrow the scope, defer at this point

Article 5 – Non Binding Resolution – They will check with town counsel about the revised wording and Board will defer at this time.

Article 6 - Sewer Pump Easement for Expansion at Powder Mill Plaza. LAUREN ROSENZWEIG - Move to put this article on the Warrant and to Recommend. WALTER FOSTER – Second. UNANIMOUS VOTE, Dore' Hunter Assigned.

SOUTH ACTON COMMUTER RAIL TASK FORCE – The Board discussed the plan that Lauren and Dore' prepared. They want a cross section of the community and locations and perhaps a Citizen at Large. They will put it in the Municipal Quarterly. Lauren will prepare a notice for the paper and Web site. They will begin in the Fall.

COMPREHENSIVE PERMIT (Ch. 40B) POLICY – Lauren reported on a preliminary meeting. She said that the purpose of this is to prepare a policy with regard to 40B projects with the Board of Selectmen and Planning Board. Peter asked to be placed on the committee list. They will be a working group and no votes need to be taken. Herman asked about costs. ACHC will contribute \$5,000 from the CPA funds, but she did not think they would have to spend all the funds.

**REQUEST FOR PERMISSION TO CONSTRUCT OF A DRIVEWAY ON MUNICIPAL LAND,
315 ARLINGTON STREET** – Don reported on this request. Staff cannot support this. He does not feel it is good policy to mix town or private issues. WALTER FOSTER – Moved to deny the request to construct a driveway on municipal property. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

REQUEST FOR EXTENSION OF EARLY BIRD FEE AT NARA PARK, DANIEL GILFIX -
LAUREN ROSENZWEIG - Moved to deny the request, but if you have special situation to bring it forward for consideration. WALTER FOSTER – second. UNANIMOUS VOTE

OTHER BUSINESS

It appears we may have \$200,000 more in State Aid than we budgeted for in FY06.

Peter wanted to go back to ALG to discuss the \$200,000 being set aside and put toward capital

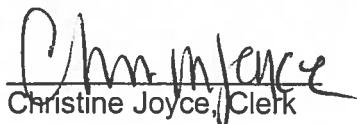
CONSENT AGENDA

WALTER FOSTER – Moved to approve. LAUREN ROSENZWEIG – second.
UNANIMOUS VOTE

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

Walter moved to go into Executive Session discuss litigation all Ayes.


Christine Joyce, Clerk


Clerk
Date: 6-6-05

May 20, 2005

TO: Board of Selectmen, Sewer Commissioners
FROM: Peter K. Ashton, Chairman
SUBJECT: Selectmen and Sewer Commissioners' Report

May 23, 2005
7:00 P.M.

- I CITIZENS' CONCERNS**
- II SEWER COMMISSIONERS' BUSINESS**
- III PUBLIC HEARINGS & APPOINTMENTS**
 - 1. 7:01 **OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
 - 2. 7:15 **NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)** – The Health Director will update the Board in the subject regard.
 - 3. 7:30 **COMMITTEE INTERVIEW, BRUCE REICHLEN, ASSOCIATE MEMBER OF THE PLANNING BOARD** – Enclosed please find Mr. Reichlen's Volunteer Coordinating Committee sheet and comments, for Board consideration.
 - 4. 7:40 **NOT YOUR AVERAGE JOE'S, 291-307 MAIN STREET, COMMON VICTUALLER LICENSE** – Enclosed please find materials in the subject regard, for Board consideration.
 - 5. 7:45 **NOT YOUR AVERAGE JOE'S, 291-307 MAIN STREET, FULL LIQUOR LICENSE AS A COMMON VICTUALLER** – Enclosed please find materials in the subject regard, for Board consideration.
 - 6. 8:00 **COMMISSION ON DISABILITIES** – The Commission on Disabilities will brief the Board on their activities and interests.
 - 7. 8:15 **COMMITTEE INTERVIEW, SUSAN KENNEDY, ASSOCIATE MEMBER OF THE PLANNING BOARD** – Enclosed please find Ms. Kennedy's Volunteer Coordinating Committee sheet and comments, for Board consideration.
 - 8. 8:30 **EMPLOYEE COMPENSATION** – The Assistant Town Manager will provide an overview of an analysis of employee compensation.
- IV SELECTMEN'S BUSINESS**
 - 9. **SPECIAL TOWN MEETING WARRANT** – Enclosed please find materials in the subject regard, for Board consideration.

10. **SOUTH ACTON COMMUTER RAIL TASK FORCE**- Enclosed please find materials in the subject regard, for Board consideration.

11. **COMPREHENSIVE PERMIT (Ch. 40B) POLICY** - Enclosed please find materials in the subject regard, for Board consideration.

12. **REQUEST FOR PERMISSION TO CONSTRUCT OF A DRIVEWAY ON MUNICIPAL LAND, 315 ARLINGTON STREET** – Enclosed please find a request and staff comment for Board consideration.

13. **REQUEST FOR EXTENSION OF EARLY BIRD FEE AT NARA PARK, DANIEL GILFIX** - Enclosed please find materials in the subject regard, for Board consideration.

14. **OTHER BUSINESS**

V CONSENT AGENDA

15. **ACCEPT MINUTES** - Enclosed please find Minutes of the April 25 and May 9, 2005 meetings for Board acceptance.

16. **COMMITTEE APPOINTMENT, ACTON/BOXBORO ARTS COUNCIL** – Enclosed please find a recommendation from Volunteer Coordinating Committee for the Appointment of Ms. Jana Kertzner as Regular Member of the Acton/Boxboro Arts Council with a term to expire June 30, 2008, for Board consideration.

17. **PLANNING BOARD REPRESENTATIVE TO ECONOMIC DEVELOPMENT COMMISSION** – Enclosed please find materials in the subject regard, for Board consideration.

18. **NON-DISTRUBANCE AND ATTORNMENT AGREEMENT** – Enclosed please find materials in the subject regard, for Board consideration.

19. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Julia Cates for a One Day Liquor License in conjunction with a Social Barbecue on June 4, 2005 at NARA Park, for Board consideration.

20. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request from the Le Lyonnais Restaurant for a one day liquor license on Monday, June 6, 2005, for Board consideration.

21. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request from Shoma Dahr for a One Day Liquor License from in conjunction with a wedding rehearsal party at NARA Park on June 24, for Board consideration.

22. **ACCEPT DONATION** – Enclosed please find a request from the Recreation Director for acceptance of \$6,000 for the 4th of July Celebration at NARA Park, from Mr. George Gould, Nagog Knoll Realty Trust for to be used toward Fire Works, for Board consideration.

23. **CAMP FEE WAIVER REQUEST** – Enclosed please find a Confidential request for a waiver of camp fees at NARA Park, for Board consideration.

24. **BEACH FEE REDUCTION REQUEST** – Enclosed please find a Confidential request for a reduction in the Beach Fee at NARA Park, for Board consideration.

25. **CAMP FEE REDUCTION REQUEST** – Enclosed please find a Confidential request for a reduction in the Camp Fee at NARA Park, for Board consideration.

26. **BEACH FEE REDUCTION** – Enclosed please find a Confidential request for a reduction in the Beach Fee, for Board consideration.

VI TOWN MANAGER'S REPORT

VII EXECUTIVE SESSION

27. There will be a need for Executive Session

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.

June 6

June 20

GOALS 2004-2005

1. Produce Morrison Farm Development Master Plan (Bob/Walter)
2. NARA PARK
3. Pursue Commercial Tax Base
4. Master Plan review meeting once per year

GOALS carried forward

5. Monitor Labor Negotiations (Peter/Trey)
6. Improve Communication with Town Boards (ALL), Improving Inter Board Communication (Dore')
7. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
8. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
9. Process Planning for "Life after NESWC" (Bob)
10. Middlesex Pension Alternatives (Walter/Trey)