

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

January 12, 2009

Acton Town Hall, Francis Faulkner Hearing Room

7:00 P.M.

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Terra Friedrichs
Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

John Covert of Flagg Road – reported on the Cable Television issues regarding the studio location. There is a need to form an Access Corporation and they will need to form a 501C3 Charity. That Corporation will need to have a President, Clerk and Treasurer to put names on the Form. Neither the Board of Selectmen nor Cable Advisory Committee people can fill those spots. Peter asked about the formation and trustees for this Charity. We could put an ad in the newspaper to find different types of people to be on this Corporation. Lauren noted that John Covert was going to go on a trip to look at other studios in Wilmington, Stoneham and Wakefield if members of the Board would like to participate.

CHAIRPERSON'S REPORT

Lauren reported on the **MAPC MAGIC** meeting and the topic was the Green Communities Act and one of the few programs by the State that might see funding this year. Grants will be availability of communities to expand green alternatives. Lauren will provide materials to the Web Master.

Lauren said that articles need to be submitted and reviewed.

OPERATIONAL MINUTE

Steve reported that the Community Social Worker has begin work and is already working with those who are in need. Annual Town Meeting appropriated monies for Street lights and NSTAR will be giving us a large rebate.

Peter spoke about the sidewalks and wanted to know how long it takes after a snow storm to clean up. Steve said both sidewalk plows went down and they are using small bob cats until the equipment can be repaired or replaced.

SELECTMEN'S REPORTS

Andy Magee wanted to let the Town know that he will not be running for re-election this year.

Paulina said the No Place for Hate has a breakfast on MLK day. Senior Center Expansion committee is coming the end of the review process. They will be giving a presentation on Jan 21st and Jan 22nd in the Faulkner Room. They have developed the three options to bring to the residents.

Terra and she have been looking for folks for the Green Advisory Board and the need to set up a review meeting to review and interview volunteers. Paulina noted Andy and Terra will serve as the Selectmen liaisons for the purpose of conducting the interviews, and that there should be one School representative, as well.

Lauren said that search for the Supt. of Schools is moving forward.

Peter reported on CPC actions. Glenn Berger came to them to report on the status of the Exchange Hall.

Peter noted that he is looking for volunteers for the Parking Lot Committee.

Terra spoke about dog fine article and that it is being drafted. The Comprehensive Community Plan will be looking at phase II and how much we can do in house. Terra also noted the Draft form of the DRB that is being looked at is just a draft.

Farmer's Market article was discussed and the request of the owners of Butter Brook Farms for a hydrant on upper Main Street.

Terra asked about her meeting with Senior Tax Fund Committee.

PUBLIC HEARINGS & APPOINTMENTS

TOWN MODERATOR DISCUSSION OF LEAGUE OF WOMEN VOTERS TOWN MEETING REVIEW

Don Mackenzie wanted to review what he intends to change and items he will be supporting that have been brought up by the people making the other suggestions.

Don noted that we will be trying things out at the next Town Meeting to see if they work before we make permanent changes.

Don went over the issues he is intending to change at the ATM.

Lauren asked about debate time limits and asked if the time for Boards and Committee members was proposed. He felt he would not limit their time. Lauren asked about the motions on the screen and handouts.

Paulina thanked him for coming in as well as the LWV's for their suggestions and observations. She asked about the time limits for questions and a clock being displayed to monitor the time of the pro/con to 2 minutes.

Paulina supported the rearrangement of the Articles.

Peter supported the changes and hoped that this will get more people at Town Meeting. He also spoke about Representative Town Meeting. Don felt it would work in a larger community, but not in Acton.

COMMON VICTUALLER – TERIYAKI STATION, 124 MAIN STREET

ANDREW MAGEE – Moved to approve the Common Victualler License for Teriyaki Station.
TERRA FRIEDRICHS – second. UNANIMOUS

ECONOMIC DEVELOPMENT COMMITTEE BRIEFING TO UPDATE THE BOARD

Doug Tindal and Nick Francis representatives of the committee. They have taken steps to redefine the Committee. Doug outlined the public meeting they held a few months ago. They want to take all the ideas from that meeting and distill them and form the people into teams. Doug went over the Mission handout and spoke to different items on the handout. Doug noted that these issues are not expected to be resolved immediately. They want to be proactive. Doug thanked Planning for their help on this project.

Lauren noted the new energy and people coming forward to serve the Town.

Terra asked about membership and needs for new members.

TRANSPORTATION ADVISORY COMMITTEE UPDATE ON SHUTTLE AND TRANSPORTATION NEEDS IN ACTON

Jim Yarin spoke about the process they have taken in order to address transportation issues. Jim noted that people in town want alternative transportation. The survey had many responses from residents. They want to consolidate the Road Runner and COA Van. Currently, they operate during the hours of 8-4 and are operated separately by two different dispatching units. Jim spoke about the use of the van to pick up people at a satellite lot and transport them to and from the train station.

Andy asked about the amount of the Grants. Jim said that they want to make sure additional funds could be directed to the Shuttle.

Lauren noted that we need to replace the current meters that are very old. That would be done with Capital Improvement monies, and the meter replacements will have a payback of a year or two.

Paulina asked if Suburban Mobility funds could be used to float the meter replacement.

Terra encouraged a term of pilot program before commitment.

Peter asked about meters age and process to raise the parking fees.

LEO BERTOLAMI, 107 GREAT ROAD, TIMELINE OF SUBMITTAL AND FILING OF A NEW SITE PLAN

Lauren noted the process of how he will proceed to solve the current situation. Mr. Bertolami noted the change to zero set back within that locus. Mr. Bertolami will be filing the new site plan on January 23, 2009. The changes require a new site plan and offered a progress plan. Staff was asked if they had seen the plan. Scott said no, but had seen a previous plan last week with his engineer.

Lauren noted that if it is not resolved, it will have consequences. Steve was asked about the December 24th letter from Zoning Officer to the Board about the site plan to be turned in on the 23rd of January and the Town Manager recommends if a site plan is not submitted that the fines of \$300 per day commence on the 24th of January.

Terra asked about fines. Terra asked if staff had anything to add to that. Roland will be commenting when they get the final plan. There are outstanding zoning compliance issues with parking and insufficient turning lines and bulk heads crossing the property line.

TERRA FRIEDRICHS - Moved that if the New Site Plan is not received on the 23rd when the new site plan is due that fines will be assessed at \$300.00 per day. ANDREW MAGEE – second. UNANIMOUS VOTE.

Andy asked about the bathrooms and the fine. Leo said that he has made them Employees Only. He will be making the Handicapped changes once the economy recovers.

Paulina asked about staff only; she does not think it relieves you of handicapped accessibility issue. If you provide bathrooms they have to be handicapped accessible.

CAROL HOLLY, STATE'S PROPOSAL OF LIFTING THE BAN ON LARGE INCINERATORS

Carol outlined the proposal and ACES feel that it is appropriate for the Board to authorize the letter to Mr. Fisher at Waste Impact Office.

Paulina thanked Carol for bringing this to the Board. Mary Michelman noted that the State is having Listening Meetings and DEP is looking for feedback on solid waste.

TERRA FRIEDRICHS – Moved to send the letter and reference the September 18th letter to give support to that group. Town of Acton has also reviewed the September 18th and raises the same situations attached. ANDREW MAGEE – second. UNANIMOUS VOTE

ALG DISCUSSION

Paulina spoke about the ALG Group. The budgets are not looking good. We are expecting FY09 revenue reductions. She noted the State FY10 budget will be delayed until the last weekend in January. ALG has put together the current plans and the numbers are tentative. The Town and School have come back with level services budgets.

It was asked how long the recession will last as that affects our budgeting and use of our reserves.

Terra felt that we should cut as deeply as we could now, and get to a "bare bones" service level. She said that we should ask each department what specific things they do, so we can sort out what services are higher priority than others. She felt we should preserve the funds so that we can use them in case we have a "real emergency". She pointed out that if there is a real depression that we could see an exodus from this region.

Steve felt we are small and we are not providing extraneous services. He will be working on tiers of \$250,000 \$300,000; we look at the tiers to see where we can cut. Terra asked if she could ask the Community Coordinator what can we do for our low end residents.

Paulina asked Peter about how long it will last. He felt 2011 and noted that we have not recovered from 2002 cuts.

Lauren said she feels it is a 3 year process

Andy said the optimists are looking at housing to turn around at the end of this year and that the US will be the leader in this recovery. Nonetheless, State aid will lag behind that.

Paulina spoke about the health insurance trust and revenues matching the use. There is some since that we draw down on those funds. Peter said we need to set the fees to protect the trust that would guide him on how the revenues are to be used.

Budget Saturday has been moved to February 7, 2009.

The warrant articles need to be substantially done by March 6 so that we can send out to the residents.

ANNUAL TOWN MEETING WARRANT

Lauren noted the place holders and wanted to make sure they are moving forward to getting on the Warrant.

ActonVoters Group – Petition articles as written

Agricultural – Feb 9, 2009, to bring before the BOS

Housekeeping Planning

HDC/HC Demolition Delay Bylaw Change to town bylaw

Demo Delay six months to 18 months

Archeological Doug Halley will represent

Clarification P Historic Charter – In HD corner lots view from two views

Side walk committee list of prioritized projects and get easements ready. High Street will not be ready this year.

Dog Violation in Cemeteries

Land Clearing Bylaw – Andy says Open Space Committee has not had a chance to review it thoroughly. They felt they should wait once they get to it. Then they will send to planning and they will want to review it.

Wetherbee mitigation on School Street lease. Andy said we will put it in as a special act.

School - Boiler plate

Suburban Mobility Grant – need to look into

Senior Center – finishing up and will put on depending upon Board's action

Board Walk – CPC transfer the use of the land from school to recreation and therefore make it eligible for CPC Funds

INVITATION TO JOIN BOSTON REGIONAL TRANSPORTATION AND ADVISORY COUNCIL

Lauren volunteered to serve and if it becomes too much she will ask for another volunteer

JEN BENSON

Paulina said she will volunteer for this.

SEWER ACTION COMMITTEE ON LOW PRESSURE SEWERS IN THE SPENCER/TUTTLE/FLINT SEWR AREA

Peter noted that he has not been attending the WRAC meetings. Steve said that Bruce Stamski has offered to work on this in down time this winter which would save a million and a half. Andy said if we can do it in house that may slow down their goal of getting on the town meeting this spring.

Mr. Beck spoke about the savings and then there was a request for \$29,000 for doing it in house. He is concerned that we don't have disappointment later and find it is not in line with the rest of the plan. He asked for a scope of services before the work is done.

Terra wanted staff to figure out how many people needed off site disposal. She noted we are looking at 10 year old data, and we need to agree on what constitutes "need" and then see who needs sewers the most, before any design occurs.

Andy said clarified that he said to the committee is to study sewers and is there a better way. Andy noted that he thinks it would be appropriate to have the sewer committee to come before the Board to hear from the Sewer committee. Andy noted that there could be some State Aid because of the location.

Paulina said the task was to find a way forward. She needs more data and need is to be identified.

Lauren said that this area of town that needs sewers and cannot have long term septic systems.

SELECTMEN'S BUSINESS

None

OTHER BUSINESS

None

CONSENT

PAULINA KNIBBE - Moved to accept Consent Items. ANDREW MAGEE – second. Unanimous

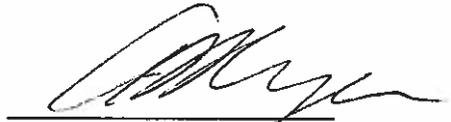
Andy had a friendly amendment that the minutes approved are November 17, December 1, 15 & 29.

EXECUTIVE SESSION

None Required



Christine Joyce, Recording Secty


Andrew D. Magee, Clerk
Date: 26 January 2009

11:00
miscellaneous Folder