

| Final

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

May 7, 2012

Acton Town Hall

Francis Faulkner Hearing Room 7:00 p.m.

RECEIVED
AUG 21 2012
TOWN CLERK, ACTON

Present: Ms. Harting-Barrat, Ms. Adachi, Mr. Gowing, Mr. Clough, Mr. Sonner and Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised

CITIZENS' CONCERNS

No one

CHAIRMAN'S UPDATE & OPERATIONAL MINUTE

Mr. Harting-Barrat – Announced the gift \$40,000 per year for three years from the Steinberg Lalli Foundation to the Nursing Service. Ms. Harting-Barrat also discussed the West Acton parking issues and what we might do to ease the congestion. She noted that there is space for 4 parking spaces along the street next to the vacant lot owned by the Town on Kinsley Road. Congratulations to AB for being the fourth school to receive the Green Flag Award.

Mr. Ledoux –reported about a week ago he and Planning Director met with and have Beth coming in person. Kristin Alexander is the new GIS person and has left the Planning. Kristin Domurad has been hired as a planner to replace Kristin. We have not heard anything about the Exchange Hall from the ABB about the elevator and handicapped accessibility issues.

Mr. Ledoux announced that Concord Mews mitigations are beginning to come in and have received \$300,000 so far.

PUBLIC HEARINGS & APPOINTMENTS

None

SELECTMEN'S BUSINESS

ROLE OF LIAISONS

Ms. Harting-Barrat discussed protocol and the need to discuss issues that are brought back by the Liaisons to the entire board. They should be run by the Town Manager to see if it has been discussed or addressed previously.

Ms. Adachi said the role for liaisons at meetings depends on the committees. For committees that work well independently, the role can be just to report to the rest of the Board any issues, but other committees, especially advisory ones, may need more guidance.

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Mr. Clough noted that EDC Selectmen's Liaison is a voting member.

Mr. Sonner said it would help if they spent less time in committee meetings and the role is to help with cross interaction with the boards.

Mr. Gowing noted that we need to keep an eye on bylaw concerns. He mentioned the attendance of outside Board functions and we need people to come and attend. He spoke about attending some of them. Fin com does not report to the Board of Selectmen or the School Committee.

Mr. Ledoux felt sometimes a liaison is put in a tough place.

Ms. Harting-Barrat noted that the Board needs to keep the Manager aware of issues so that he can catch the ones that may be already addressed.

TOWN MANAGER'S REVIEW

Mr. Gowing discussed the process. He sent out a blank to the Board members and asked the board members to fill it out and send directly to him for compilations or a straw man document. Mr. Gowing read each item on the review. Ms. Adachi and Ms. Harting-Barrat want to see it presented differently and wanted each person's comments listed. Mr. Gowing said he could provide it and put together and give to Christine for the next meeting. Mr. Clough wanted Mr. Gowing at the meeting when it is discussed. It was noted that they could do the review June 18th and to discuss salary at that time.

Windsor Ave. Building request for use was discussed. Several people have asked to use it. Mr., Ledoux felt we needed a study before we move forward and defer until that time. He has the money in his budget for these types of uses for consultants. Mr. Clough – Moved to put on hold until the space needs assessment is complete. Ms. Adachi – second. UNANIMOUS VOTE Mr. Sonner felt the space is vacant at this time and we should allow the Minutemen use it for practice. Ms. Harting-Barrat noted that currently the Farmer's Market use it as well as the West Acton Library.

Mr. Gowing spoke about time line for the study and the Manager said he is waiting to hear from the consultants. Ms. Adachi felt if it could be coordinated and understand that once the survey is done we will reassess its use. Dean Charter said that he would do what is decided and does not feel it is a problem, no storage and temporary basis and could be out in 24 hours notice, no long term commitments.

Mr. Gowing spoke about reserving rooms; currently you have to call all over to get a room. He wanted to have it in one place to administer the space we have already. Dean suggested software for room scheduling.

Mr. Clough - Move that there will be no permanent use and Dean Charter will monitor the situation. Ms. Adachi - second

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117# CONCORD ROAD, BEHIND

Mr. Ledoux gave an outline of the situation and the Bank had not paid the taxes and the town took it for taxes. The Bank wants to right the wrong to make the owner whole. Mr. Gowing asked about adding back the legal costs incurred by the town in this regard.

Mr. Gowing – Moved to accept recommendation for consideration of \$9,100 to return the property back to the owner of 117 Concord Road, Behind – Mr. Clough – second UNANIMOUS VOTE

SELECTMEN'S REPORTS

Mr. Sonner –SATSAC clean up day and tidied up the lot. He and Mike went to the OPEB at MMA last week.

Mr. Clough – He did the Acton Clean up day. DRB met several times and were speaking about Kelley's Corner. EDC discussed wrapping up the sign bylaw issues and will need to tackle the Kelley's Corner project. Ms. Harting-Barrat asked about the review of Acton Meadows project.

Mr. Gowing –Reported on attendance at the OPEB meeting and outlined the process, there is no mandate from them to fund this. Legislators will discuss with PRIT to allow the trust to invest in it currently paying 8 ½ interest. Mr. Gowing also noted that when employees change towns the town's liability follows them and going after the liability retirement funds.

Mr. Gowing – noted that Littleton offers child care at town meetings. MEW is moving forward. Senator Eldridge discussed the water report and storm water management. He noted that CLURPA is not getting support. Mr. Gowing spoke about funding CPA and projects by the State. Proposed Senior Home Rule Petition is being reviewed and they are looking at the language to make it workable state wide.

Ms. Adachi – ABCC grant awards. ACHC heard there may be 12 40B units across from the post office. She also noted her attendance at the Water District event/panel. COD needs member to replace Brenda Viola. Ms. Adachi noted that COD may have already found a replacement. Green Flag Ceremonies and entertainment was very nice. Notice of music concerts at NARA Park and urged everyone to attend.

Ms. Harting-Barrat – She had cancellation of board meetings. She travels this time of year and will be out of town over night.

CONSENT

Mr. Clough asked to hold Executive session Minutes. Mr. Clough asked questions about the minutes that where before his term on the board and would like to abstain. Mr. Sonner too wished to abstain on voting on these.

Green River/Costal Wines - Mr. Gowing asked about the term "Local." It was felt that local would be Massachusetts as defined by the Agricultural Board of Massachusetts to which they need approval to even apply for admittance to the Farmer's Market criteria must be met.

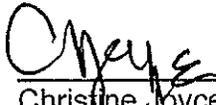
Accept Executive session Minutes of February 27, 2012 – Mr. Gowing – Move to approve. Ms. Adachi - second – UNANIMOUS VOTE

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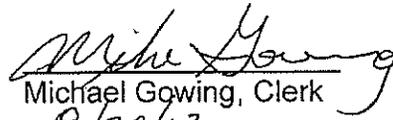
Ms. Adachi – Moved to approve the Consent calendar. Mr. Clough and Mr. Sonner -
Abstaining Motion Passes 3-2

Mr. Gowing – Moved to adjourn - Mr. Clough - Second. UNANIMOUS VOTE

Adjourned 8:45 p.m.



Christine Joyce
Recording Secty



Michael Gowing, Clerk
8/20/12
Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Hearing Room

May 7, 2012

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 CHAIRMAN'S UPDATE/OPERATIONAL MINUTE

The Chair and Town Manager will briefly update the Board

SELECTMEN'S BUSINESS

2. ROLE OF LIAISON'S DISCUSSION AND ADMINISTRATIVE ISSUES

3. TOWN MANAGER'S EVALUATION

4. REQUEST FOR USE OF THE WINDSOR AVE. BUILDING

Enclosed please find materials in the subject regard

**5. #117 CONCORD ROAD – BEHIND, PROPERTY TAKEN FOR TAXES
NOW BEING CONVEYED TO THE BANK/OWNER WITH
CONSIDERATION**

Enclosed please find materials in the subject regard

6. SELECTMEN'S REPORTS

III. CONSENT AGENDA

**7. ACCEPT EXECUTIVE SESSION MINUTES, BOARD OF SELECTMEN,
OF SEPTEMBER 13, 2010, NOVEMBER 1, 2010 NOVEMBER 22, 2010,
DECEMBER 13, 2010 DECEMBER 20, 2010, JANUARY 10, JANUARY
24, 2011, MARCH 21, 2011, FEBRUARY 28, 2011, MARCH 21, 2011,
FEBRUARY 27, 2012**

Enclosed please find materials in the subject regard

**8. ACCEPT REGULAR MINUTES, BOARD OF SELECTMEN, JANUARY 9,
JANUARY 23, JANUARY 30, 2012, FEBRUARY 6, FEBRUARY 27, 2012**

Enclosed please find materials in the subject regard

9. **PROPOSED MEMORANDUM TO THE ZONING BOARD OF APPEALS IN SUPPORT OF THE LIP APPLICATION FOR COMPREHENSIVE PERMIT ACTON MEADOWS, 263-265 GREAT ROAD**
Enclosed please find materials in the subject regard
10. **QUAIL RIDGE TOWN HOME DEVELOPMENT- (LOCAL ACTION UNITS)**
Enclosed please find materials in the subject regard
11. **ACTON-BOXBOROUGH FARMER'S MARKET, FARMER'S WINE LICENSE, GREEN RIVER AMBROSIA, LLC.**
Enclosed please find materials in the subject regard
12. **ACTON-BOXBOROUGH FARMER'S MARKET, FARMER'S WINE LICENSE, COASTAL VINEYARDS**
Enclosed please find materials in the subject regard
13. **REQUEST TO AMEND IDENTITY THEFT POLICY, LEADERSHIP CHAPTER TO REFLECT THE CURRENT DIRECTOR IN THE POLICY.**
Enclosed please find materials in the subject regard
14. **REQUEST TO SELL BRICKS AT GOWARD FIELD PLAYGROUND ON JUNE 9, 2012**
Enclosed please find materials in the subject regard
15. **ACCEPT GIFT, NATURAL RESOURCES DEPARTMENT**
Enclosed please find a gift of \$48.00 from Kevin Ren to be used for conservation land trail
16. **ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$650.00 from supporters of the Goward Field Playground Project
17. **ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$5,100.00 from two supporters of the Goward Field Playground Project
18. **ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$5,000.00 from TDBank to be used to support the Blushing Brides Concert on July 4, 2012 at NARA Park
19. **ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$1,000.00 from Pro-Tech Inc. to be used to support the 2012 Summer Concert Series at NARA Park

20. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of \$50.00 from Benjarong Restaurant to be used to support the Summer Concert Series at NARA Park

21. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find gift of \$1,500.00 from Especially for Pets to be used cover production costs of July 4, Beach Party and Gilmour's Breakfast

IV 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.

MAY 21

No Appointments at this time

JUNE 4

JUNE 18

Board and Committee Reappointments

ADDITIONAL INFORMATION

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete

PENDING MINUTES

2011 January 8 – will be in 5/21

2012 February 29

March 12, 26,

April 2, 3, 4 pre-town meeting and April 23 (MG)

PENDING COMMITTEE APPOINTMENTS

Linda Mayer – ABCC sent to VCC

Sunanda Sahay – ABCC sent to VCC

Lawrence Kenah – Transportation, Design Review Board, Cable, Conservation or Recreation Commission – send to VCC

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 Agenda

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<input type="checkbox"/>	Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>		010 Agenda, Board of Selectmen, May 7, 2012	admin	05/04/12	133 KB	    ▾
<input type="checkbox"/>		020 (4) Requested Use of the Windsor Ave. Building	admin	05/04/12	306 KB	    ▾
<input type="checkbox"/>		030 (5) 117 Concord Road Behind, To Be Conveyed to the owner	admin	05/04/12	569 KB	    ▾
<input type="checkbox"/>		040 (8) Regular Session Minutes, Board of Selectmen Assorted Dates	admin	05/04/12	2 MB	    ▾
<input type="checkbox"/>		<u>050 (9) Proposed Memorandum to the ZBA in Support of the LIP Application, Acton Meadows, 263-265 Great Road</u>	admin	05/04/12	78 KB	    ▾
<input type="checkbox"/>		060 (10) Quail Ridge Town Home Development - Local Action Units	admin	05/04/12	1 MB	    ▾
<input type="checkbox"/>		070 (11) Farmer's Market Wine License, Green River Ambrosia, LLC.	admin	05/04/12	520 KB	    ▾
<input type="checkbox"/>		080 (12) Farmer's Market Wine License, Coastal Vineyards	admin	05/04/12	499 KB	    ▾
<input type="checkbox"/>		090 (13) Request to Amend the Nursing Service Identity Theft Policy to Reflect Current Director	admin	05/04/12	666 KB	    ▾
<input type="checkbox"/>		110 (14) Request to Sell Bricks at Goward Field	admin	05/04/12	50 KB	    ▾
<input type="checkbox"/>		120 (15) Accept Gift, Natural Resources	admin	05/04/12	30 KB	    ▾
<input type="checkbox"/>		130 (16) Accept Gift, Recreation Department	admin	05/04/12	204 KB	    ▾
<input type="checkbox"/>		140 (17) Accept Gift, Recreation Department	admin	05/04/12	86 KB	    ▾
<input type="checkbox"/>		<u>150 (18) Accept Gift, Recreation Department</u>	admin	05/04/12	38 KB	    ▾
<input type="checkbox"/>		<u>160 (19) Accept Gift, Recreation Department</u>	admin	05/04/12	35 KB	    ▾
<input type="checkbox"/>		<u>170 (20) Accept Gift, Recreation Department</u>	admin	05/04/12	119 KB	    ▾
<input type="checkbox"/>		180 (21) Accept Gift, Recreation	admin	05/04/12	41	

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<input type="checkbox"/>	Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>		020 Extra Consent - Extra Materials - Use Permit Amendment, Powder Mill Road - Not anticipated at the time of the posting of the Warrant Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	05/07/12	1018 KB	
<input type="checkbox"/>		010 Use Permit, Powder Mill Road Draft Decision Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	05/07/12	192 KB	
<input type="checkbox"/>		060 (10) Correction noted and made to Application Package Submitted by Jill Underdonk, Quail Ridge Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	05/07/12	44 KB	
<input type="checkbox"/>		065 (9) Extra Drawings for Acton Meadows Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	05/07/12	1 MB	

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<input type="checkbox"/>	Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>	PDF	010 OPEB Challenge for Municipalities Presentation Slides by MMA	admin	05/04/12	826 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	020 Minutes, Board of Selectmen, February 29, 2012	admin	05/04/12	357 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	030 Minutes, Board of Selectmen, March 26, 2012	admin	05/04/12	255 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	040 Minutes, Board of Selectmen, January 8, 2011	admin	05/04/12	358 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	050 Municipal Relief Fund, Wheelabrator Payment	admin	05/04/12	42 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	060 Notice from Recreation, Regarding Concert Dates Updated	admin	05/04/12	53 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	070 Letter of Support from the Town of Stow Regarding ARRT (FY 2013-16 TIP)	admin	05/04/12	90 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/>	PDF	080 Ifinity Notices of Channel Changes	admin	05/04/12	60 KB	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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RECORD OF VOTE OF THE ACTON BOARD OF SELECTMEN

FILE COPY

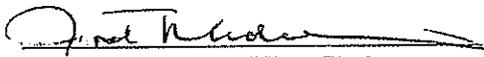
May 7, 2012

At a duly called public meeting of the Acton Board of Selectmen on May 7, 2012, the Board voted as follows with respect to that certain land with the buildings and improvements thereon located at 117 Concord Road (Behind), shown as Parcel 49-2 on Acton Assessor's Map G4 (the "Property") and also shown as "Lot 36" on Plan No. 21297^G filed with Middlesex South Registry District of the Land Court (the "Plan"):

- (a) To approve and execute the Quitclaim Deed for the Property from the Town to Judith A. Becker in the form presented to the Board at the May 7, 2012 Board meeting; and
- (b) To authorize the Town Manager to take all actions on behalf of the Town that are reasonably necessary or advisable, in the judgment of the Town Manager, to complete the sale of the Property, including without limitation signing closing forms, documents and settlement statements, and to take all actions and execute all documents that are reasonably necessary or advisable, in the judgment of the Town Manager, to effectuate the sale of the Property.

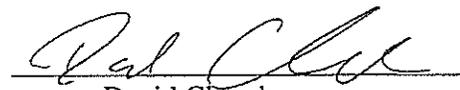
ACTON BOARD OF SELECTMEN

Pamela A. Harting-Barrat - Chair


Janet K. Adachi - Vice Chair

Michael Gowing - Clerk

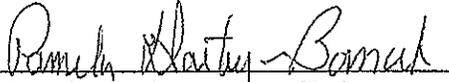

John Sonner


David Clough

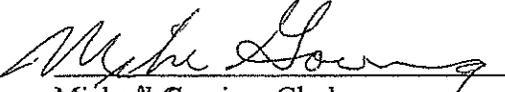
APPROVAL BY SELECTMEN

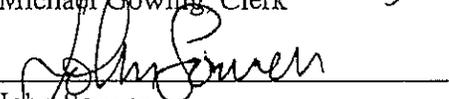
We, being a majority of the undersigned Board of Selectmen of the Town of Acton, Massachusetts, hereby approve the grant of the property known as and numbered 117 Concord Road (Behind), shown as Parcel 49-2 on Acton Assessor's Map G4 and also shown as "Lot 36" on Plan No. 21297^G filed with Middlesex South Registry District of the Land Court to Judith A. Becker for consideration of Nine Thousand One Hundred (\$9,100) Dollars. Said approval is evidenced by the deed from the Town of Acton to Judith A. Becker that will be recorded herewith.

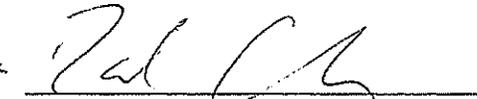
WITNESS our hands and seals this 7th day of May, 2012.


Pamela Harting-Barjat, Chair


Janet K. Adachi, Vice Chair


Michael Gowing, Clerk


John Sonner


David Clough

)

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 895, Page 121, with Certificate of Title No. 153071.

Said Lot 36 is conveyed subject to and with the benefit of restrictions, easements, covenants and agreements of record, if any there be, insofar as the same are now in force and applicable, including the restrictions as set forth in a Deed given by Charles L. Miner to Henry Mekkelson et ux, dated January 2, 1929, duly recorded in Book 5316, Page 181.

The delivery of this deed shall evidence full compliance with the requirements set forth in Massachusetts General Laws Chapter 44, Section 63A.

No Massachusetts documentary stamps are affixed hereto as none are required by law because the grantor is a municipality.

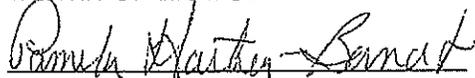
The undersigned constitute a majority of the Board of Selectmen.

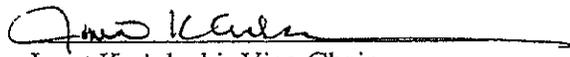
For the Town of Acton's title, see Instrument of Taking dated June 10, 2004 and filed with the Middlesex South Registry District of the Land Court as Document No. 1345097, the Notice to Foreclose Tax Lien dated June 16, 2005 and filed as Document No. 1380233, and the Judgment in Tax Lien Case dated May 7, 2007 and filed as Document No. 1444240.

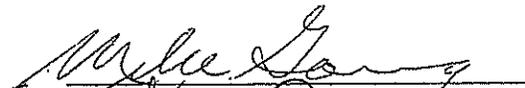
[Signatures to appear on following page.]

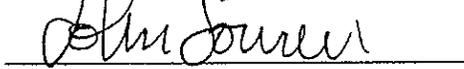
EXECUTED under seal this 7th day of May, 2012.

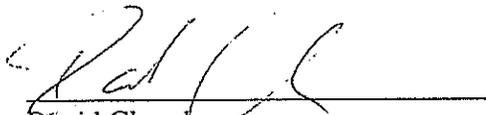
**BOARD OF SELECTMEN
TOWN OF ACTON**


Pamela Harting-Barrat, Chair


Janet K. Adachi, Vice Chair


Michael Gowling, Clerk

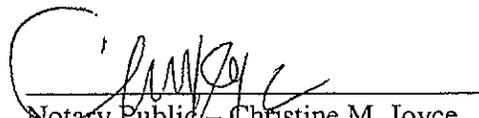

John Sonner

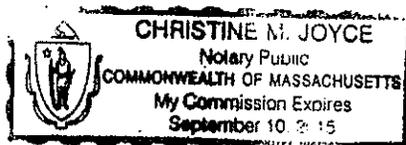

David Clough

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

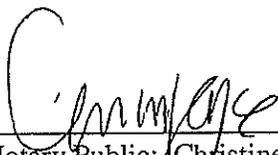
On this 7th day of May, 2012, before me, the undersigned Notary Public, personally appeared each of the foregoing named members of the Board of Selectmen of the Town of Acton, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding document, and acknowledged to me that each signed it voluntarily for its stated purpose as the foregoing named members of the Board of Selectmen of the Town of Acton.


Notary Public - Christine M. Joyce
My commission expires: Sept. 10, 2015



COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF Middlesex)

On this 7th day of May, 2012, before me, the undersigned notary public, personally appeared the following named members of the Board of Selectmen of the Town of Acton: Pamela Harting-Barrat, Janet Adachi, Michael Gowing, David Clough and John Sonner, proved to me through satisfactory evidence of identification, as Known to Me, to be the persons whose names are signed on the preceding document and acknowledged to me that they signed it voluntarily for its stated purpose as the foregoing named members of the Board of Selectmen of the Town of Acton, a municipal corporation.



Notary Public: Christine M. Joyce
My Commission Expires: Sept 10, 2015

