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130 2013 final  
TOWN CLERK, ACTON

**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**

**January 14, 2013**

**Francis Faulkner Hearing Room 7:00 p.m.**

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

**CITIZENS' CONCERNS**

**None**

**CHAIRMAN'S UPDATE & OPERATIONAL MINUTE**

Ms. Harting-Barrat – There has been an upsurge in the use of controlled substances in town. The United Way sponsored a meeting with Chris Herron as the guest speaker. She noted the large attendance at the meeting.

Mr. Ledoux announced the Town Nursing Service will host a free flu clinic tomorrow in response to the serious outbreaks in the area. He will be making a presentation on the Code of Conduct Rules for visitors to town hall. ALG Meeting discussed use of reserves and the plan that they are reviewing and uses \$2 million of reserves; fin com feels \$1.50M is appropriate and will be meeting on 31<sup>st</sup> of January once the Governor's budget is received.

**PUBLIC HEARINGS & APPOINTMENTS**

**ACTON BOXBOROUGH REGIONALIZATION COMMITTEE PRESENTATION**

Peter Ashton spoke about the committee's work to regionalize at the elementary level. They are finalizing with Boxboro at this time on this very important issue.

Motivating factor is increase in Boxboro per-pupil costs. If all are regionalized it will provide improved educational opportunities and 7-12 has been very successful. The Committee has been addressing the major issues in phases. He received a draft of the Agreement tonight. He noted they have 30 to 35 outreach opportunities and are gathering input.

They plan to share the existing staff members. He discussed the organization structure. The basic educational philosophy and make as few changes as possible to the schools themselves. New region will require a Revision to the Regional Agreement and will need to pass in both towns. The key changes; buy or leasing the buildings. The region will pay debt service on existing debt in Boxboro. They want to keep one school in Boxboro, as a hometown guarantee. Mr. Ashton spoke to the assessment of transportation costs. Current proposal assessment based on a three year rolling enrollment. There has been a request from John Peterson to look at it differently. They discussed this and have formed a sub-group, Renovation Share of Benefits, and will depend on assessment that will be proposed and agreed upon. They will be on a sliding scale and the share of the \$920,000. Administration and transitional school committee for a year, going forward makeup would be 5 Acton and 3

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Boxboro's single vote weighting to 2.4 for Acton, and school committee members would be elected in the two towns. The educational Benefits were discussed and increase all day kindergarten and specialized special education programs. They discussed the first five year financial benefits. It would result in \$535,000 transportation reimbursement, small reduction in Chapter 70 aid.

There are questions of loss of control and loss of identity of individual schools, and reducing Acton representatives from 6 to 5.

Mr. Gowing asked about being bound to Proposition 2 ½. Peter noted again, that would be hard to do given what is in place such as ALG.

Three year rolling average favors higher level of students and may fall in the future. Mr. Ashton noted Acton's enrollment is slowing but Boxboro's enrollment is going down faster. Mr. Gowing noted Union, OPEB, Sped costs.

Ms. Adachi asked about benefits (slide 24) - why are the benefits decreasing to Acton and higher to Boxboro. Mr. Ashton responded the cost to Acton would be greater if we do not regionalize and they have a "look back" provision.

Mr. Sonner asked about fund raising issues and differences between the PTO's. Boxboro does not fund positions but funds programs.

Transportation reimbursement, are our costs going up and what is the cost on transportation issues. JD Head felt savings will be found by combining of the transportation and felt no increase other than gas.

Mr. Clough spoke about his attendance at several meetings. He was concerned with cost savings and efficiencies. He feels we are shifting to a problem that he did not know of. He noted the savings and the fairness doesn't happen with a 65/35% split. He felt we needed to address the seats on ALG to include Boxborough. He further discussed the OPEB factor and would like a say in this. He feels it is not passing the common sense test. Mr. Ashton asked what he felt would make it work. Most concerns the 65-35 split and does not pass the test and efficiency issues.

Steve Noon asked about the preliminary school budget is going up and assessment for Boxboro is staying the same.

Dana Farrell representing young people in Acton. Asked about choices in schools and that Boxboro does not currently offer a choice of schools.

## **2020 COMMITTEE/ UPDATE, KELLY'S CORNER DISCUSSION AND REGIONALIZATION OF SERVICES WITH OTHER COMMUNITIES**

Mr. Sonner spoke about the presentation at the budget Saturday and felt we should revisit the overall objectives. Given all the other budget pressures do we feel we push for it and can we get enough support to get 2/3 majority and needs more work.

Margret Busse wanted to talk about Kelly's Corner. They are in Phase III of 2020 which was approved at town Meeting to implement action items. They have developed a plan to reach the low hanging fruit. They want to focus on Kelly's Corner Development as people want these changes. They want an attractive multi-use, transit-oriented town center. This capital request will help define a vision for Kelley's Corner. She discussed infrastructure changes that are badly needed and will encourage economic growth and safety.

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She further discussed the capital request to begin the Kelley's Corner transformation for \$277,000. They learned of the availability of a Mass Works Grant monies and are addressing.

Mr. Clough attended a meeting recently that people were talking about Mass Works Grants and the award. Roland said we are asking for a reasonable amount and perhaps we would get a grant with this good of a project. It is not a guarantee and can they do it on 1 or 2 million? He noted they don't know the answers until they do the work for 25% design. He spoke about building in thoughts such as wants versus needs. Mass Works sometimes looks at projects on a multi-year process.

Mr. Maddox said they have been working with those owners at Kelly's Corner. The area is difficult to develop as it is broken up and has back lands. They would like to see the zoning changed to buffer the neighborhoods and accommodate a structure and parking below, They are dealing with 16 acres of land and wetlands impact with 10 acres under developed and potentially available. In the future the properties may be interconnected.

Ms. Adachi asked Mr. Maddox if we had to break-up the needs, what they would be. He thinks if you bring everything to the table you won't have to wait. He spoke about the lights at the intersection. Ms. Adachi likes the plan to fix Kelley Corner and discussed the other studies that have been prepared in the past. The Committee has been looking at them and may not be relevant now, but there will be a lot of information about traffic and it will be used if possible.

Ms. Harting-Barrat asked about underground utilities. She also noted that fixing the traffic is an issue and personally avoids the area between 3 and 7pm.

Mr. Gowing noted we have tried to address this by zoning and was not successful. We need to talk to the developers about the bigger issues. He felt the Kmart and Verizon buildings were impediments.

Doctor's office representative of 411 Mass Ave business. Wants to have it look better and needs it to approve. The students complain about no place to go. She supports it very much and the sooner the better as they have waited for years.

Ryan Bettez Chairman of the Planning Board and knows that the Board has limited funds, but many people note that location is a mess and an embarrassment.

Dick Calendrella – spoke about service on the original 2020 Committee. He asked if they have spoken to the property owners to find out what they will be doing and do they share our vision. 2020 has been speaking with some of the owners of Kelly's corner and they are interested in this happening.

Debra Simes attended the business owners meeting and everyone was positive at the meeting with the business. She asked if we have a point person.

Mr. Sonner asked for a sense of the Board and should strongly support. Political reality of needing to make sure it will win at town meeting. The risk is not getting the grant and feels we increase the chance that we won't get it if we wait longer.

Roche Bros. shopping center owner supports the plan and Acton is a good place to do business due to the demographics and feels in the long term the changes would be positive and supports this project.

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Mr. Clough wants to invest and get this going. We need to make an investment, the sooner the better.

2020 is looking for support for the project. They feel the town is ready for this and is past due. If the Board is not interested they don't want to move forward, and will shift their work to other projects.

Mr. Sonner - Moved to support the proposed plan and \$277,000 Mr. Clough- second. Mr. Sonner Withdrew motion and have the Board continue to discuss it further.

#### **SITE PLAN SPECIAL PERMIT, #11/16/12-438, 255 MAIN STREET- SUNDBERG REALTY TRUST II FOR A 67 SEAT PRESENTATION**

Mr. Sundberg made a presentation in regard to his Site Plan Special Permit. Mr. Sonner asked about the sidewalk construction. Mr. Sundberg noted he is addressing that currently. Mr. Gowing – Moved to approve. Mr. Sonner, second. UNANIMOUS VOTE

#### **SELECTMEN'S BUSINESS**

##### **DISCUSSION OF FY14 BUDGET**

Mr. Ledoux spoke about the upcoming budget Calendar. The budget was built though department head guidance. We are within ALG guidelines. Budget is level funded and has worked for months with key staff members and addresses OPEB and Selectmen's Goals. The proposed Town Manager's budget is \$30,172,180

Mr. Ledoux spoke of changes and drivers of the FY2014 Budget.

He wanted to get the sense of the board and questions they may have to make this process easier on them.

He felt on Budget Saturday the Board supported the additional police officers and improvements in traffic in front of town hall.

Ms. Adachi hopes the Fincom will compromise.

Mr. Clough asked about generators and the need for them. It was noted many of them are in excess of 50 years old.

Mr. Ledoux asked for board priorities and how to share cuts.

Mr. Clough noted a meeting he and Ms. Adachi attend where Rep Atkins said to plan for 5% decrease in Local Aid. Mr. Ledoux felt comfortable with the Governor's numbers.

Mr. Ledoux will prepare a priority list for the Board to review

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## **SELECTMEN'S REPORTS**

Mr. Sonner – He noted the discussion at Budget Saturday regarding dog kennel Licenses. He felt we should not give incentives to have such licenses, and would like to discuss at an upcoming meeting. Flu Clinic will only be for Acton citizens.

Mr. Clough – Merrimack Chamber meeting was informing. CPC took tour through Theater III, as well as West Acton Baptist Church steeple tour. Talked about OPEB change of eligibility at the State level.

Ms. Harting-Barrat spoke about Planning Board articles and 2020 issues. Reported on the schools and regionalization issue. BOH flu Clinic issues and visits are up in nursing.

Ms. Adachi – ACHC is concerned about the Governor's proposal to consolidate the housing authorities.

Commission on Disabilities is focusing on activities for this year and next.

Cathy Fochtman will be working on recreation accessibility and working on adaptive recreation.

WRAC not ready for this meeting and will aim for a time later in the year.

She attended Representative Atkins and Senator Eldridge. She attended the Ground Breaking at Train Station.

Mr. Gowing – COA discussed ethics training and annual goals  
Acton TV named a new director. HDC met with counsel on the CPC loan program and whether it should go to CPC. Support for Robbins Monument at Morrison land. Caouette/Simeone Conservation Restriction and access to the ARRT is in process of preparing the CR for those properties.

Morrison Farm giving final application to CPC  
MAGIC wants input from us on the TIP list and the Region if we have projects.

## **CONSENT**

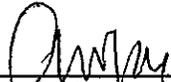
Hold on #9 - Mr. Clough  
Need to pull as there are no associates allowed by Town Charter for Historical Commission.

final

Mr. Gowing - Moved to approve the Consent Agenda with #9 Appointment removed. - Mr. Sonner - second. UNANIMOUS VOTE

The Board asked about having the Board amend the Charter to allow Associate Members.

Adjourned 10:45 p.m.

  
\_\_\_\_\_  
Christine Joyce  
Recording Secty

  
\_\_\_\_\_  
Michael Gowing, Clerk  
1/28/13  
\_\_\_\_\_  
Date

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'  
MEETING AGENDA**

*Francis Faulkner Hearing Room*

*January 14, 2013*

*7:00 PM*

**RECEIVED**  
JAN 30 2013  
TOWN CLERK, ACTON

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

1. 7:05     **CHAIRMAN'S UPDATE/OPERATIONAL MINUTE**  
The Chair will briefly update the Board -The Town Manager will provide a brief report
2. 7:20     **ACTON BOXBOROUGH REGIONALIZATION COMMITTEE PRESENTATION**  
Enclosed please find materials in the subject regard
3. 8:00     **2020 COMMITTEE/TOWN UPDATE, KELLY'S CORNER DISCUSSION AND REGIONALIZATION OF SERVICES WITH OTHER COMMUNITIES**
4. 8:20     **SPECIAL USE PERMIT # 11/16/12-438, 255 MAIN STREET, SUNDBERG II REALITY TRUST, FOR A 67 SEAT RESTAURANT**  
Enclosed please find materials in the subject regard
5. 8:45     **STORM WATER DRAFT BYLAW PRESENTATION (REMOVED BY COMMITTEE)**  
Enclosed please find materials in the subject regard
6. **SELECTMEN'S BUSINESS**
7. **DISCUSSION OF FY 14 BUDGET**

**SELECTMEN'S REPORTS**

**IV CONSENT AGENDA**

8. **BOARD OF SELECTMEN MINUTES OF 11/5, 11/19, 12/3, 12/17 FOR APPROVAL**  
Enclosed please find materials in the subject regard
9. **COMMITTEE APPOINTMENT, PAMELA LYNN, HISTORICAL COMMISSION**  
Enclosed please find materials in the subject regard

**10. APPOINTMENT OF KAREN E. KUBIK, 535 OLD STONE BROOK, AS REGISTRAR OF VOTERS TO REPLACE REPUBLICAN MS. BRANDON WHO HAS MOVED FROM ACTON**

Enclosed please find materials in the subject regard

**11. TEMPORARY CONNECTION TO SEWER SYSTEM FOR TRAIN STATION CONSTRUCTION**

Enclosed please find materials in the subject regard.

**12. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$3,900.00 from the Cambridge Savings bank to the used to support the July 4<sup>th</sup> Celebration, Winter Carnival and Beach Party-Summer Concert series

**13. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$4,000.00 from Roche Brothers to support the Summer Concert Series-Beach Party

**14. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$50.00 from Acton Wine and Spirits to support the Summer Concert Series at NARA Park

**15. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$417.59 from the Charlotte Sagoff Memorial Garden Committee to be used to support the Garden's future maintenance needs

**16. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$996.91, from various supporters to be used for the Goward Field Playground Project

**17. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$120.00 from various supporters to be used for the Goward Field Playground Project

**18. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$825.00 from various supporters to be used for the Goward Field Playground Project

**19. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$12,525.00 from various supporters to be used for the Goward Field Playground Project

**20. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$600.00 from the A/B Cultural Council to support the 2013 Summer Concert Series performer "The Ivy Leaf" Irish Music Band

**21. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$ 200.00 from Scheier, Katin & Epstein, P.C. to support the Jumpin' Juba Concert.

**22. ACCEPT GIFT, PLANNING DEPARTMENT**

Enclosed please find a gift of \$11,666.67 for the Monument Place Project off Harris Street and Quarry Road (North Acton)

**23. DISPOSAL OF OBSOLETE MATERIALS – MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard

**24. REQUEST TO APPROVE FUNDS FOR GEORGIA WHITNEY TO SUPPORT THE 13<sup>TH</sup> ANNUAL ROBERT CREELY AWARD**

Enclosed please find materials in the subject regard

**25. APPROVAL FOR FEE INCREASES FOR RECREATIONAL PROGRAM**

Enclosed please find materials in the subject regard

**V 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

<u>JANUARY 28</u>	<u>FEBRUARY 11</u>	<u>FEBRUARY 25</u>
	OPEB Presentation Traffic Rules & Orders Amendments West Acton parking issues	

PENDING MINUTES

May 21  
June 25  
July 9, 23  
Sept. 24

PENDING COM. APPOINTMENTS

Michael Dube – Planning Board - sent to VCC 12/31



	Kubik, as Registrar of Voters to Fill Vacancy left by Margaret Brandon's Resignation				KB	
	Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet					
	<b>070 (11) Temporary Connection to Sewer System</b>	admin	01/10/13	77 KB	    	
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	<b>080 (12) Accept Gift, Recreation Department</b>	admin	01/10/13	47 KB	    	
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	<b>090 (13) Accept Gift, Recreation Department</b>	admin	01/10/13	87 KB	    	
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	<b>100 (14) Accept Gift, Recreation Department</b>	admin	01/10/13	60 KB	    	
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	<b>110 (15) Accept Gift, Recreation Department</b>	admin	01/10/13	354 KB	    	
	Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet					
	<b>120 (16) Accept Gift, Recreation Department</b>	admin	01/10/13	117 KB	    	
	Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet					
	<b>130 (17) Accept Gift, Recreation Department</b>	admin	01/10/13	53 KB	    	
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	<b>140 (18) Accept Gift, Recreation Department</b>	admin	01/10/13	50 KB	    	
	Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet					
	<b>150 (19) Accept Gift, Recreation Department</b>	admin	01/10/13	57 KB	    	
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	<b>160 (20) Accept Gift, Recreation Department</b>	admin	01/10/13	135 KB	    	
	Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet					
	<b>170 (21) Accept Gift, Recreation Department</b>	admin	01/10/13	58 KB	    	
	Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet					
	<b>180 (22) Accept Gift, Planning Department</b>	admin	01/10/13	48 KB	    	
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	<b>190 (23) Disposal of Obsolete</b>	admin	01/10/13	46	    	

Materials, AML

KB

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200 (24) Approve Funds for the Georgia Whitney Fund for 13th Annual Robert Creely Award  
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admin

01/10/13

231 KB



210 (25) Fee Increase Request, for Recreation Programs  
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admin

01/10/13

192 KB



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