

R E C E I V E D
FEB 27 2013

Final

TOWN CLERK, ACTON

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING
January 28, 2013
Acton Town Hall
Francis Faulkner Hearing Room 7:00 p.m.

Present: Ms. Harting-Barrat, Chairman, Ms. Adachi, Mr. Gowing, Mr. Clough, Mr. Sonner, and Ms. Adachi, Recording Secretary, Town Manager Steve Ledoux

Ms. Harting-Barrat read the Motion to enter into Executive Session for the purpose of discussing the Purchase, Exchange, Lease or Value of Real Property. Mr. Sonner Moved - Mr. Clough -second. Clerk roll-call vote: All Ayes. Ms. Harting-Barrat noted that at the conclusion of Executive Session, the Board would move into the regular public session.

CITIZENS CONCERNS

Jim Snyder-Grant, 18 Half Moon Hill expressed support for the proposed design work for Kelley's Corner.

Graham Knowland, Estabrook Rd, asked about the schedule for printing and mailing the Town Meeting warrant, and offered comments about the proposed zoning amendment pertaining to Brookside Mall. The proposed amendment is identical to Article 43 in the 2012 warrant, which Town Meeting voted down. Mr. Knowland said the proposal would be of benefit only to the Brookside owner, and would not protect Estabrook Road residents; he showed photographs of existing conditions that he said were safety concerns for the residents: the rear access road from Brookside to Estabrook lacking "do not enter" signs, and the old cars stored behind Colonial Chevrolet and visible from Estabrook. Planning Director Roland Bartl explained that the Planning Board had asked him to advertise the proposed change, with notice to abutters, as was done a year ago; the Planning Board believes that the property is business-use and should be business-zoned so that proposed changes do not require variances. The concern is for the businesses operating at Brookside rather than the property owner.

Franny Osman, Half Moon Hill offered her support for the Kelley's Corner proposal, and thanked the Board for supporting the transportation system.

The owner of Johnny Rockets, which has been open for about week, thanked the Board and town for being so business-friendly and welcoming. He noted that Johnny Rockets has existed since 1988, has locations worldwide, and never before has he been in a neighborhood that was so welcoming. The Acton operation has developed a special menu for the Town, with all-natural, more local items. An interior sign says "AB Colonials Eat Here."

CHAIRMAN'S UPDATE/MANAGER'S MINUTE

Ms. Harting-Barrat reported on the decision last week of the Regionalization Study Sub-Committee to recommend that the Town not to pursue K-6 regionalization because the

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proposal was unlikely to pass in the two towns. Despite some 40 presentations, support never coalesced. Boxborough probably will end up taking in about 60 choice students.

Mr. Ledoux noted the Governor's release of his proposed budget. Ch. 70 aid for the local schools and Regional District is up; unrestricted local aid for the Town is level-funded, although a new category of annual-formula local aid would add about 58K for the Town. The proposed budget also includes 1.2 billion in tax hikes, so there is a lot for the MA Legislature to discuss. The Acton Leadership Group plan contemplates a 2% decrease in state aid. He and others will be viewing a Webinar tomorrow on the use of Community Preservation Act funds in connection with long-term borrowing. The Town finally is in the net-metering queue for solar power.

FY14 RECOMMENDED BUDGET VOTE

Mr. Ledoux provided an update with slides on the FY14 budget for the Town. The total proposed budget is \$30,172,180.

Operating: 28,483,335 (up 96K to add 3 cruisers)
Capital: 749K
Subsidies: 507,845 (down 91K due to H901 bill passing and being signed into law)
OPEB (other post-employment benefits): 432K

Budget Drivers: 4 new police officers, lead dispatcher, Finance Department clerical, OPEB factor for new positions, health insurance, 2 of 5 cruisers from parking meter fund, employee health incentive (wellness) funding for stop-loss insurance.

Use of parking meter fund for police cruisers– down to 63K from 157.5K

Even with the Board's recommendation tonight, changes are possible due to the uncertainty in state budget, changes in receipts projections, etc. Mr. Ledoux noted that he had prepared a memorandum explaining where cuts would come if the Town held the use of reserves to 1.7M or 1.5M, rather than the current 2M that the ALG Budget contemplates.

Mr. Clough asked about the transfer station loader, which would come out of the enterprise fund; Mr. Ledoux confirmed that cutting that item would mean the funds would go back to the Enterprise Fund.

Jim Snyder-Grant noted that the final cost of the Wood Lane final acquisition would be slightly higher than 25K due to the survey. Mr. Ledoux agreed that the survey needs to be added in.

Mr. Ledoux noted that the Schools Budget at Budget Saturday last weekend assumed the use of 2M in reserves. In response to Ms. Adachi's query, Mr. Ledoux said he was not sure whether the schools also had made cuts to eliminate the 600K deficit that existed as of the last ALG meeting.

Ms. Adachi said that she had heard from some residents who were concerned about the Kelley's Corner proposal, and she had been trying to address her own reservations.

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She wanted to be sure that the process going forward would be inclusive, with outreach to the public, including businesses, especially in the earlier 60K phase; and that the new consultants would be familiar with the 1995 and 1997 Kelley's Corner studies, and avoid reinventing the wheel. Kat Hudson, 2020 Committee member, expressed doubt that anyone including Ms. Adachi still would question the proposal, given the Board's, and 2012 Town Meeting's approval, and Town staff and Town Manager's support. Ms. Adachi noted that most voters and residents had not participated in the development of the Master Plan or the Town Meeting vote, and the process needed to be open to those who might become more engaged as the project evolved. Mr. Sonner and Mr. Bartl agreed that there should be robust public participation.

Mr. Gowing emphasized that the existence of consensus about the 2020 plan and Kelley's Corner does not mean complete agreement. The Town has 14K registered voters of whom only small numbers were involved in the 2020 workshops. He participated in the 2020 process and did not agree with the results on some issues.

Celia Kent, 2020 Committee member, said she was responsible for understanding the old plans. She noted that the old plans relied heavily on prose, whereas now there are much better tools for creating the design framework, and showing residents the possibilities in a much more understandable way. The aim is to raise all of the issues and then do the design work.

Mr. Clough thanked Mr. Bartl for the information from the Planning Department on MassWorks projects and other data that the Board will need to defend the proposal at Town Meeting.

Mr. Sonner thinks the Town is in a better situation than was true a year ago. The health insurance adjustments were important, as was the recognition of the need to address OPEB. But as part of the next budget season, the Board should do more on the long-term capital plan, which the Finance Committee has been working on.

Mr. Clough noted that the schools are adding the same number of full-time employees that they have lost. The collective compensation rate might be lower, but the schools currently are not planning to add an OPEB factor for each new hire. He would like to lower reserves use to send a message to the Schools that they need to account for OPEB obligation in new FTE's. Mr. Ledoux noted that the proposed new FTE's include three at the Acton Public Schools. Ms. Harting-Barrat said she is comfortable with using 2M in reserves. Mr. Sonner said he is comfortable with 2M but wants the schools to fund the OPEB obligation for new FTE's. Ms. Adachi said especially the 3 FTE's in Acton Public Schools, given that the Town, not the schools, is responsible for the Acton Public school's OPEB obligation.

Mr. Gowing -Moved to approve the Town Manager's proposed budget of \$30,172,180
Mr. Clough -second. UNANIMOUS VOTE

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BOY SCOUT COURT OF HONOR

Ms. Harting-Barrat will be out of town so Mr. Gowing will attend.

CONSENT

Mr. Sonner -Moved to approve, Mr. Clough -second, UNANIMOUS VOTE

SELECTMEN'S REPORTS

Mr. Sonner – The Library Committee is working on long-range planning; the South Acton Train Station Advisory Committee will be meeting with the Transportation Advisory Committee to look at parking issues during construction and after; Acton 2020 is looking at regionalization as well as the Kelley's Corner plan; the Recreation Commission will be holding the annual Winter Carnival on Saturday.

Mr. Clough – The OPEB working group meeting was rescheduled due to a conflict with the Finance Committee meeting; he would like to hear from the rest of the Board as to where we go if the recommendations of the state OPEB Commission become law; the Design Review Board has not met lately but he would like them to look at the proposed Morrison Farm building, if it goes forward; some people have said the proposed would shade the gardens, etc. The Economic Development Committee pushed for a sign-by-law pamphlet, which the Town has issued and which covers the requirements in and outside of the Historic Districts. Mr. Ledoux added that staff is working on FAQs for other departments. Mr. Clough said EDC is working on permitting process guidelines. Mr. Ledoux noted that the space-needs consultants will make a presentation to the Board the 2d meeting in February. Mr. Clough said the Community Preservation Committee has seen all project presentations, and now need to decide what to support, what to bond.

Ms. Adachi – Acton Meadows construction is underway on Great Road; Habitat for Humanity is seeking a prospective owner for the existing house at the front. The Acton Community Housing Corporation has some concerns about how the lack of an associate, until the amendment of the charter to authorize associates, will affect its ability to achieve quorum. She joined Mr. Gowing and others on 1/15 for a walk of the Caouette parcel to determine the boundaries for proposed conservation-restriction-protected area and the proposed Assabet River Rail Trail and parking. The Commission on Disabilities has completed an annual calendar template, providing for range of recurring annual activities cultivating connections with the Town as well as connections among COD members. The Water Resources Advisory Committee will continue to do outreach to town departments, committees and the public though no proposal will be on the warrant. Sen. Jamie Eldridge hosted his Green Advisory Council meeting on Sat, 1/19, at Parker-Damon, and will be introducing 8 environmental bills in the new session. No Place for Hate hosted its annual Martin Luther King, Jr. Breakfast at Temple Beth Elohim on 1/21. Ms. Adachi had to miss the MA Municipal Association conference on 1/25-1/26 due to a family matter out of town.

Mr. Gowing – The Massachusetts Municipal Association (MMA) conference included a well-received presentation by Town staff members about the new program (code of conduct) requiring civility from Town Hall visitors. Mr. Ledoux said there were 65

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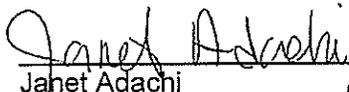
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attendees. Attended seminar on medical marijuana. Lowell Regional Transportation Authority (LRTA) – Saturday Bus Service Lowell, Tewksbury, proposal to sell unused LRTA buildings in Lowell, but Federal monies used to buy. Health Insurance Trust (HIT) – proposed changes in rates, final vote later at February meeting, Historic District Commission (HDC) – finalized Certificate of Appropriateness for WAVE Project. Discussion of HDC loan program, lots of work/barriers to put plan in place, so might be easier to just give money. Letter of support for Morrison Farm project and have completed the letter of compliance for Exchange Hall. Cable Advisory reached out to Verizon & Comcast conversion to complete digital in lieu of converting analog to digital. Comcast contact Tim Kelly moving to larger region. Caouette Conservation Restriction Committee on site re: access point for Assabet River Rail Trail (ARRT), make sure wording doesn't conflict when submitting Conservation Restriction to the State.

Ms. Harting-Barrat – The Planning Board did not meet. The Schools have been focusing on the Regionalization Study. The Nursing Service is doing much better.

Mr. Clough asked whether the Board should discuss the Brookside Shops issue now. Mr. Ledoux said that if the Planning Board moves the proposal forward, the Board will have to address at that time. Ms. Harting-Barrat suggested that he look at the old files from 2000-2001. Ms. Adachi said Mr. Bartl might be able to provide an executive summary of the issues.

Adjourn 8:55 p.m.


Janet Adachi


Mike Gowing, Clerk
Date 2/28/13

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Executive Session
6:30 p.m. Francis Faulkner Hearing Room

Francis Faulkner Hearing Room
January 28, 2013
7:00 PM

6:30 EXECUTIVE SESSION – TO CONSIDER THE PURCHASE, EXCHANGE
LEASE OR VALUE OF REAL PROPERTY

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

III. SELECTMEN'S BUSINESS

2. BOARD OF SELECTMEN TO VOTE RECOMMENDED BUDGET

3. BOY SCOUT COURT OF HONOR ASSIGNMENT

4. SELECTMEN'S REPORTS

IV. CONSENT AGENDA

**5. ACCEPT MINUTES, BOARD OF SELECTMEN, JULY 23, 2012,
SEPTEMBER 24, 2012 REGULAR AND CONFIDENTIAL, JANUARY 14,
2013**

Enclosed please find materials in the subject regard

**6. COMMITTEE APPOINTMENT – HISTORICAL COMMISSION – BRADFORD
MAXWELL, REGULAR MEMBER TO FILL UNEXPIRED TERM OF
KIMBERLY CONNER-HUGHES TO 6/30/14**

- 7. COMMITTEE APPOINTMENT – HISTORICAL COMMISSION – JAMES CHIARELLI, REGULAR MEMBER TO FILL THE UNEXPIRED TERM OF ANITA DODSON TO 6/30/14**
- 8. COMMITTEE APPOINTMENT – 2020 PHASE III – KAT HUDSON
REGULAR MEMBER TERM TO EXPIRE 6/30/16**
Enclosed please find materials in the subject regard
- 9. COMMITTEE APPOINTMENT – PLANNING BOARD, ASSOCIATE
MEMBER, MICHAEL DUBE TERM TO EXPIRE 6/30/13**
Enclosed please find materials in the subject regard
- 10. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$50.00 from Mr. and Mrs. Nachbar to be used for funding the Goward Field Playground project
- 11. ACCEPT GIFT, CONSERVATION DEPARTMENT**
Enclosed please find a gift of \$281.50 from Greg Rachman, Eagle Scout, to be used for future conservation trail maintenance projects.
- 12. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$2,000 from Salerno's Restaurant to be used to fund the 2013 Concert Series and Beach Party Blas as well as the Annual Skate Park Anniversary
- 13. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$3,065 from various contributors to be used to fund the Goward Field Playground Project
- 14. ACCEPT GIFT, RECREATION DEPARTMENT**
Enclosed please find a gift of \$500.00 from the Acton Lions Club to be used to support Winter Carnival activities
- 15. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**
Enclosed please find materials in the subject regard
- 16. DISPOSAL OF OBSOLETE MATERIALS, RECREATION DEPARTMENT**
Enclosed please find materials in the subject regard
- 17. ONE DAY LIQUOR LICENSE REQUEST FOR 25TH ANNIVERSARY
PARTY, FEBRUARY 16, 2003 AT EXCHANGE HALL**
Enclosed please find materials in the subject regard

V. EXECUTIVE SESSION - 6:30 P.M.

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

FEBRUARY 11

FEBRUARY 25

MARCH 11

OPEB Presentation

Traffic Rules & Orders Amendments

West Acton parking issues

PENDING MINUTES

PENDING COMMITTEE APPOINTMENTS

May 21
June 25
July 9

Michael Dube – Planning Board Assoc. Member

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<input type="checkbox"/>	Type Title	Owner	Edited	Size	Actions
<input type="checkbox"/>	 010 Agenda, Board of Selectmen, January 28, 2013 Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	125 KB	
<input type="checkbox"/>	 020 (2) Town Manager's FY14 Recommendations Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	132 KB	
<input type="checkbox"/>	 030 (3) Boy Scout Court of Honor Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	85 KB	
<input type="checkbox"/>	 040 (5) Selectmen's Minutes, July 23, September 24 and January 14, Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	2 MB	
<input type="checkbox"/>	 050 (8) Committee Appointment, Kat Hudson, 2020 Phase III Committee Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	112 KB	
<input type="checkbox"/>	 060 (9) Committee Appointment, Michael Dube, Associate Member, Planning Board Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	281 KB	
<input type="checkbox"/>	 070 (10) Accept Gift, Recreation Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	61 KB	
<input type="checkbox"/>	 080 (11) Accept Gift, Conservation Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	237 KB	
<input type="checkbox"/>	 090 (12) Accept Gift, Recreation Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	68 KB	
<input type="checkbox"/>	 110 (13) Accept Gift, Recreation Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	52 KB	

	120 (14) Accept Gift, Recreation Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	38 KB	
	130 (15) Disposal of Obsolete Materials, AML Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	46 KB	
	140 (16) Disposal of Obsolete Materials, Recreation Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	43 KB	
	150 (17) One Day Liquor Licnese, Party at Exchange Hall Scanned with FlowPort '2013 Meeting Week Cover Sheet' Cover Sheet	admin	01/25/13	112 KB	

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