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BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**March 10, 2014
Francis Faulkner Hearing Room
Regular Meeting 7:00 p.m.**

CITIZENS' CONCERNS

None

CHAIRMAN'S UPDATE & OPERATIONAL MINUTE

Mr. Ledoux –Attended the Douglas School Read-Aloud on March 6th and enjoyed his audience of second and third grade students. There will be another meeting on March 24th, at which we will hopefully resolve the final issues with the IMA agreement. There is nothing new to report regarding the 55 Knox Trall issue as a proposed meeting between the Town of Concord Engineering Department and our permitting departments was cancelled. The ALG meeting on Thursday March 6, 2014 was the last one of the budget season and the group reached a consensus for FY15, but plan to show projection for FY 16-17.

Ms. Adachi – On February 25, 2014, the Finance Committee held a meeting for the presentation of municipal and school budgets. In attendance with Chairman Adachi, were Mr. Ledoux, and Brian McMullan. On March 3rd, members of the Board of Selectmen attended the Douglas School Read-Aloud – other Board of Selectman that participated were Ms. Green, Mr. Gowing, and Manager Ledoux. On March 7th, Mr. Gowing, Mr. Ledoux, Representative Nancy Banks, and myself attended the Minuteman Tech Breakfast Meeting. It was a large turnout for the event. A presentation of the latest re-proposed regional agreement amendment was reviewed and presented. The most significant change is modification of weighted voting proposal to address concerns among towns with small enrollments who will worry that they will essentially have no voice in comparison to members with large enrollments, such as Arlington, even though modification aims to soften the impact of small enrollment. On March 9, 2014, the League of Woman Voters held a Civics Bee. This year the teams were mixed student-adult, including four selectmen in attendance; Mr. Gowing, Mr. Sonnor, Ms. Green, and Chairman Adachi. The Green Acton Candidates forum will be held March 11, 2014, at 7:30 PM at the Junior High Library. The STAR event honoring long-time employees will be held Thursday, March 13, 2014 at the Boxboro Holiday Inn beginning at 5:00 PM. The League of Women Voters will host a candidates forum on Monday, March 17, 2014 at Acton Town Hall Room 204, beginning at 7:00 PM. The Acton Water District will hold its annual meeting on Wednesday, March 19, 2014 at 693 Massachusetts Ave, beginning at 7:00. The OPEB Forum will be held at the Concord Town House, second floor beginning at 5:00. This event was organized by Representative Cory Atkins, featuring Representative Aaron Michlewitz, Chairman of the House Public Service Committee, Michael Widmer of MA Taxpayers, and MMA Executive Director Geoff Beckwith. Next Board of Selectman meeting will be March 17, 2014 – it will be an all-day

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mediation regarding the CVS site plan.

Citizen Charle Kabakoff asked about the ruling for the CVS development. The Board is going into all day mediation on the issue on Monday, March 17, 2014.

PUBLIC HEARINGS & APPOINTMENTS

ROD'S GOLF IMPROVEMENT SITE PLAN 1/29/14-447 5 NAGOG PARK UNIT 10-2,

Rod outlined his experience and said that the new facility would accommodate more students than his previous location. Mr. Clough thought it would be a good addition to town and asked about signage. He also suggested that Rod notify the veteran's agent in town of the availability of his program for Wounded Warriors. Mr. Sonner noted that the town staff had indicated no issues with this proposal.

Mr. Sonner - Moved to approve Mr. Gowing - second UNANIMOUS VOTE

ACTON FAMILY AUTOMOTIVE CLASS II AUTO DEALER'S APPLICATION, 140 GREAT ROAD

Ms. Adachi noted that Christine Joyce found everything in order with this application and it is just expanding the current business. Mr. Clough asked if the business is currently repair and if they are moving to sales. The applicant said that it is currently a repair business and that when the space opened up, they decided to add sales. Mr. Sonner pointed out Roland Bartl's, comments on the proposed signage.

Mr. Sonner - Moved to approve - Ms. Gowing - second UNANIMOUS VOTE

SELECTMEN'S BUSINESS

2014 ANNUAL TOWN MEETING ARTICLE VOTES

Article votes (discussion on votes below):

Article 1: Mr. Sonner moved to recommend; Mr. Clough - second; UNANIMOUS VOTE

Article 2: Mr. Sonner moved to recommend; Mr. Clough - second; UNANIMOUS VOTE

Article 3: Mr. Gowing moved to recommend; Mr. Sonner - second; UNANIMOUS VOTE

Article 4: Ms. Green moved to recommend; Mr. Sonner - second; UNANIMOUS VOTE

Article 5: Ms. Green moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE

Article 6: Article 6 was moved off consent; Mr. Clough moved to DEFER; Mr. Gowing - second; UNANIMOUS VOTE

Article 7: Ms. Green moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE

Article 8: Ms. Green moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE

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Article 9: Ms. Adachi moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE
Article 10: Mr. Gowing moved to recommend; Ms. Green - second; UNANIMOUS VOTE
Article 11: Mr. Gowing moved to recommend; Mr. Sonner - second; UNANIMOUS VOTE
Article 12: Mr. Gowing moved to recommend; Mr. Sonner - second; UNANIMOUS VOTE
Article 13: Ms. Adachi noted that we should pass over as we do not need this article
Article 14: Mr. Gowing moved to recommend; Ms. Green - second; UNANIMOUS VOTE
Article 15: Mr. Gowing moved to recommend; Mr. Clough - second; UNANIMOUS VOTE
Article 16: Mr. Gowing moved to recommend; Mr. Sonner - second; UNANIMOUS VOTE
Article 17: Mr. Gowing moved to recommend; Mr. Clough - second; UNANIMOUS VOTE
Article 18: Mr. Gowing moved to recommend; Mr. Clough - second; UNANIMOUS VOTE
Article 19: Mr. Clough moved to recommend; Mr. Sonner - second; UNANIMOUS VOTE
Article 20: Mr. Sonner moved to recommend the balance of the articles (excluding Article N); Mr. Clough - second; UNANIMOUS VOTE
Article 20 - N: Mr. Sonner moved to NOT RECOMMEND; Ms. Green - second; UNANIMOUS VOTE
Article 21: Mr. Sonner moved to DEFER; Mr. Gowing - second; UNANIMOUS VOTE
Articles 22, 23, & 24: Mr. Gowing moved to DEFER; Mr. Sonner - second; UNANIMOUS VOTE
Article 25: Mr. Clough moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE
Article 26: Mr. Clough moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE
Articles 27 - 30: Mr. Sonner moved to DEFER; Mr. Gowing - second; UNANIMOUS VOTE
Articles 31-42: Mr. Sonner moved to recommend; Mr. Gowing - second; UNANIMOUS VOTE

Charlie Kadlec, citizen, noted that many of the warrant articles are still missing the dollar amounts. The Town Manager said that those are being finalized and would be filled in prior to printing.

Mr. Gowing had a question on the Wright Hill purchase as part of the CPC article. He wanted to know what would happen if Town Meeting didn't bond the purchase and instead used funds from the Open Space set aside to purchase the property outright.

Mr. Sonner had concerns with article N in the CPC article. He felt that there was a difference between exterior and interior renovations on a religious building. The Board discussed the issue and voted not to recommend Article N.

The Board discussed the merits of voting on or deferring its vote on Article 21, relating to the Acton Boxborough Regional School Assessment. Mr. Sonner preferred to defer because he felt that there was new information coming in. Mr. Clough agreed. Mr. Gowing wanted to defer because there are too many moving parts relating to the intermunicipal agreement. Ms. Adachi said that she was inclined to defer as well. Ms. Green said that she was okay with deferring but that she wanted to make sure the Board had a public discussion before we vote and wanted to note that the Board has expressed concerns with the assessment. She wanted to be sure the School Committee and others heard these concerns now in case they wanted to make changes before Town Meeting.

Charlie Kadlec expressed concerns with possible duplicate costs between the municipal and regional school budgets, particularly the Middlesex Retirement costs. He felt there was too much uncertainty at this time but he doubted that the Board and the public will receive better information. Mr. Ledoux noted that with the Middlesex Retirement costs, the town and region

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were told early on that the town MR assessment would continue to include APS employees for FY'15. This recently changed however, and now the region will have to cover those costs. Since those were not in their budget, but were in the original municipal budget, the town and region are working on a letter of agreement so that the town will cover those costs for FY'15 only.

Mr. Clough abstained on Article 20.

Nancy Banks spoke about Article 25 - the revised Minuteman agreement. She noted that the committee is still discussing possible changes to the agreement, particularly around weighted voting. She said that these changes will have minimal impact on Acton either way.

The Board deferred on Articles 27-30 as the Planning Board had not yet held their public hearings on those articles.

TOWN MANAGER'S PERFORMANCE REVIEW

Ms. Adachi handed out the compilation of the Selectmen's evaluations of the Town Manager. The Board briefly looked over the document. Mr. Sonner noted that the summary page shows his overall evaluation as good, but it should be very good. Mr. Sonner requests to update his review as well as summary 1, and page 2 to reflect this change. Mr. Gowing noted that the overall performance was very good and not controversial.

Mr. Sonner moved to approve with the changes he noted earlier.

Mr. Clough – second. UNANIMOUS VOTE

ACTON BOXBOROUGH YOUTH BASEBALL – VETERAN'S FIELD SCOREBOARD DISPLAY TEAM RECOGNITION SIGNAGE APPROVAL REQUEST

Ms. Adachi presented the request from ABYB for team recognition signs at Veteran's Field. Ms. Green noted that the Recreation Committee supports this request and met with the applicant to discuss their process and proposal. Mr. Gowing was concerned that the signs could violate the sign bylaw. Scott Mutch from Planning noted that the department has not reviewed the request yet.

The Board will approve subject to Planning Department's review of the sign bylaw issues.

Ms. Green –Moved, Mr. Gowing - second UNANIMOUS VOTE

BOARD OF HEALTH REQUEST FOR FEE ADJUSTMENT, FARMER'S MARKET

Mr. Sonner moved to approve. Mr. Gowing – second. UNANIMOUS VOTE

Mr. Clough asked why the fees were originally set where they were. Mr. Gowing said that we did not have the benefit of seeing where other towns were setting fees for their farmer's markets and the Board of Health was originally trying to set the fees based on expected levels of expense at the time.

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BOY SCOUT INVITATION TO ATTEND EAGLE SCOUT COURT OF HONOR, ZACHARY ZAMBARANO – Mr. Gowing will be the Selectman Assigned

SELECTMEN'S REPORTS

Mr. Sonner – The Kelley's Corner Committee kicks off Wednesday. He attended the Open Space and Recreation Plan forum. There was a good discussion and the attendees generally provided positive feedback.

Mr. Clough – Finance Committee is currently focused on the FY'15 budget. The Design Review Board is drafting a charter-like document to help guide their work. They are hoping to look at more projects going forward.

Ms. Adachi - On March 6, 2014, the Acton Community Housing Commission gave a presentation about a modified proposal for unbuilt Avalon Acton townhouse community; now to be 64 smaller scaled rental townhomes, with 25% affordable, allowing more green space. The developer will build to stretch code and other efficient standards, and is prepared to confer with DRB. Nancy Tavernier invited Holly Ben-Joseph of the DRB to sit in on the meeting. On March 4 2014, the 495/Metrowest Partnership Board of Directors held their meeting, Chairman Adachi was invited to be on the board last year and was appointed in December. The Massachusetts Housing appeals Committee invited Chairman Adachi to apply – application is pending. The HAC hears appeals of Chapter 40b decisions by zoning boards of appeals.

Mr. Gowing - **Minuteman Tech** – the intergovernmental agreement that will be created is actually between the school committee (not the BoS) and Minuteman. It was stated that the Commissioner who sets facilities fees for nonmember communities is contemplating lowering the fees (due to political pressure being placed on him by the nonmember communities). They are floating a proposal to have 50/50 weighted voting for the members. 50% equal share of with all communities and 50% based on floating enrollment over a four-year period. Acton, currently has 25 students attending, and we would go from a 6.11% vote to 6.18% vote with the new weighting. The total number of students as of October 1 last year from member communities was 408; an additional 345 students attend from nonmember towns. They are urging all of the member communities to vote the new inter municipal agreement. The capital issue is still being resolved. **Acton TV** – the Acton TV board voted to approve the language in the new MOU agreement between the town and Acton TV. It will be coming before the BoS for approval later this month. **CAB** – the cable advisory board has been in discussion with Comcast and the regional school system regarding INET connection to the Blanchard school in Boxborough. They have also been discussing the future plan for connecting the schools and the town by retiring the EMARP system and converting to digital IPTV. **HDC** – Window discussion on replacements for 62 Windsor Ave for new owner. Sign approved for one of the WAVE project tenants. A new Acton family came in to unofficially discuss home modifications. Got a clarification from the health department regarding mounded septic systems. **Transit** - the Callahan tunnel will reopen next Monday. There will continue to be some weekend and night work until August. Effective March 22, government station will be closed for 2 years. Although trains and trolleys will continue to pass through during reconstruction, they will not stop. Go to: www.MBTA.com/govcenter

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for more detailed information.

Ms. Green – Participated in the Douglas Real Aloud Day. Read stories to two kindergarden classes. The Recreation Commission released their new Recreation booklet in time for summer activities. These will be mailed to all residents. Work is continuing on the picnic pavilion at NARA. At the last School Committee meeting, members of the Acton Education Association spoke about their continued lack of a settled contract. The Committee members also discussed their concerns with the OPEB numbers in the current ALG plan.

CONSENT AGENDA

Mr. Gowing - Moved to approve the consent items. Ms. Green- second. UNANIMOUS VOTE

Lisa Tomyl
Recording Secretary

Clerk

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**BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA
March 10, 2014**

Regular Meeting 7:00 P.M.

Francis Faulkner Hearing Room

Executive Session 6:30 p.m.

There will be a need for Executive Session to consider the Purchase, Exchange, Lease or Value of Real Property (Town and District Inter-Municipal Agreement and Memorandum Of Understanding regarding regionalization)

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. **7:05 CHAIRMAN'S UPDATE/OPERATIONAL MINUTE**
The Chairman will briefly update the Board. The Town Manager will provide a brief report
2. **7:20 DISCUSSION OF SCHOOL REGIONALIZATION**
3. **7:30 ROD'S GOLF IMPROVEMENT SITE PLAN 1/29/14-447 5 NAGOG PARK, UNIT 102, LINK TO FILE MATERIALS:**

<http://doc.acton-ma.gov/daweb/view/collection-6099>
See enclosed materials
4. **7:50 ACTON FAMILY AUTOMOTIVE CLASS II AUTO DEALER'S APPLICATION, 140 GREAT ROAD**
See enclosed materials

SELECTMEN'S BUSINESS

5. **2014 ANNUAL TOWN MEETING ARTICLE VOTES**
See enclosed materials
 6. **TOWN MANAGER'S PERFORMANCE REVIEW**
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- 7. ACTON BOXBOROUGH YOUTH BASEBALL – VETERAN’S FIELD SCOREBOARD DISPLAY TEAM RECOGNITION SIGNAGE APPROVAL REQUEST**
See enclosed materials
- 8. BOARD OF HEALTH REQUEST FOR FEE INCREASE, FARMER’S MARKET**
See enclosed materials
- 9. BOY SCOUT INVITATION TO ATTEND EAGLE SCOUT COURT OF HONOR, ZACHARY ZAMBARANO**
See enclosed materials

SELECTMEN’S REPORTS

III. CONSENT AGENDA

- 10. ACCEPT MINUTES, BOARD OF SELECTMEN, JANUARY 11, 27, 2014**
See enclosed materials
- 11. CLASS I LICENSE CORRECTION, ACTON FORD FLEET LEASE, INC. 60 POWDER MILL ROAD**
This correction is house keeping with the Registry of Motor Vehicles the word Leasing was left off the License issued for 2014
- 12. ACCEPT GIFT, RECREATION**
Enclosed find a gift of \$3,900.00 from Cambridge Savings Bank to be used to support the 2014 Summer Concert Series at NARA Park
See enclosed materials
- 13. ACCEPT GIFT, RECREATION**
Enclosed find a gift of \$500.00 from Acton Lions Club to be used to support Eggie Night activities at NARA Park
See enclosed materials
- 14. ACCEPT GIFT, RECREATION**
Enclosed is a gift for \$6,000.00 from Donelan’s Supermarket to be used to support July 4th Fireworks Event at NARA Park
See enclosed materials

15. ACCEPT GIFT, RECREATION

Enclosed is a gift for \$6,000.00 from Gould's Clothing to be used to support July 4th Fireworks Event at NARA Park

See enclosed materials

16. ACCEPT GIFT, RECREATION

Enclosed is a gift for \$50.00 from Acton Wine and Spirit Co. to be used to support the 2014 Summer Concert Series at NARA Park

See enclosed materials

17. ACCEPT GIFT, PLANNING

Enclosed is a gift for \$2,000.00 from Robbins Brook Housing Element to be used for the Community Housing – Program Fund

See enclosed materials

18. ONE DAY LIQUOR LICENSE, NARA PARK, KARIE G. GRADY – WEDDING AND RECEPTION

See enclosed materials

19. ONE DAY LIQUOR LICENSE, ACTON COMMUNITY SUPPER AND FOOD PANTRY, INC

See enclosed materials

20. DISPOSAL OF OBSOLETE MATERIALS, ACTON MEMORIAL LIBRARY

See enclosed materials

ADDITIONAL INFORMATION

See enclosed 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

MARCH 24

Site Plan #10/11/13-445 – 848 Main Street
Axe Brothers – Continued from 1/27/14
Beer and Wine application as a Common Vicuttaler,
Buono Y Sano, 283 Main Street

APRIL 28

Site Plan #2/20/14-448 – 848 Main Street

PENDING MINUTES

- February 3 & 24

PENDING COMMITTEE APPOINTMENTS

JD Head – 2020 Committee - Sent to VCC
Sherman Smith – Land Stewardship - Sent to VCC 1/22
Brad Graham – sent to VCC – Historical Commission
Hongyu Lio sent to VCC – Economic Development
Connie Ingram – Sent To VCC – Cemetery Commissioner
Vandana Sharma – Interested in sustainable housing – applicant will sit in on committee's to see what she feels would be appropriate for her interests

INTERVIEWED BY VCC

Robert Skilling - Senior Center Study Committee
Chris Hamilton – Senior Center Study Committee
Margaret Flanary – Senior Center Study Committee
Peter K. Ashton – Senior Center Study Committee

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<input type="checkbox"/>	020 (3) Rod's Golf Site Plan, 5 Nagog Park, Unit 102	manager	03/07/14	581 KB	
<input type="checkbox"/>	030 (4) Class II Car Dealers License, 140 Great Road	manager	03/07/14	180 KB	
<input type="checkbox"/>	040 (7) Veterans Field Score Board Request	manager	03/07/14	197 KB	
<input type="checkbox"/>	050 (8) Farmers Market Fee Increase	manager	03/07/14	69 KB	
<input type="checkbox"/>	060 (8) Boy Scout of Honor, Zachary Zambarano	manager	03/07/14	29 KB	
<input type="checkbox"/>	070 (10) Selectmen's Minutes, Budget Saturday, January 11, 2014	manager	03/07/14	87 KB	
<input type="checkbox"/>	080 (10) Selectmen's Minutes, January 27, 2014	manager	03/07/14	412 KB	
<input type="checkbox"/>	090 (11) Correct Class I License, 80 Powder Mill Road	manager	03/07/14	112 KB	
<input type="checkbox"/>	110 (12) Accept Gift, Recreation	manager	03/07/14	33 KB	
<input type="checkbox"/>	120 (13) Accept Gift, Recreation	manager	03/07/14	33 KB	
<input type="checkbox"/>	130 (14) Accept Gift, Recreation	manager	03/07/14	32 KB	
<input type="checkbox"/>	140 (15) Accept Gift, Recreation	manager	03/07/14	34 KB	
<input type="checkbox"/>	150 (16) Accept Gift, Recreation	manager	03/07/14	30 KB	
<input type="checkbox"/>	160 (17) Accept Gift, Planning	manager	03/07/14	26 KB	
<input type="checkbox"/>	170 (18) One Day Liquor License NARA Park	manager	03/07/14	45 KB	
<input type="checkbox"/>	180 (19) One Day Liquor, Acton community Supper, St. Elizabeth Fund Raiser	manager	03/07/14	57 KB	
<input type="checkbox"/>	190 (20) Disposal of Obsolete materials, Memorial Library	manager	03/07/14	15 KB	

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