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BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

June 6, 2016

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Janet K. Adachi, Franny Osman, Katie Green, Chingsung Chang, Town Manager Steven Ledoux, Lisa Tomyl and Shannon Hurley, Recording Secretaries

Absent: Peter J. Berry

Ms. Adachi opened the meeting at 7:00 PM

Ms. Osman arrived at 7:04 PM

Citizens' Concerns

None

Chairman's Update and Operational Update:

Ms. Adachi –Nice Memorial Day observance, and a very moving experience, attended by Peter Berry, Ms. Adachi and Franny Osman. ABRHS graduation June 3rd. Attended by Ms. Osman and Ms. Adachi. Planning Board hearing tomorrow about proposed public shade tree removal for pending sidewalk installation. League of Woman Voters meeting at Bella Famiglia. 100 year celebration of Boy Scouting in Acton ceremony at NARA Park on June 12th. Screening of a 2009 documentary titled "Shooting Beauty" at the Maynard Fine Arts Theater on June 13th at 6:30pm sponsored by the Girl Scout Troop 7586 who also participated in a mock Board of Selectmen hearing to help earn their government badge. ABUW will hold their annual meeting on June 14th at WAVW Gallery. Proposed parking fee increases SATSAC has been publicly advertising the proposed fee increases and held a public forum as well. SATSAC voted to approve the fee increase at their meeting on May 26th. BOS will be discussing the fee increases at the next meeting on June 20th. Visit the Town Website with the SATSAC recommendation and additional information as well.

Mr. Ledoux - Last Wednesday, bidding. No reason to lose AAA rating. Harris Street property signed by the Governor, waiting for a closing date. Production company is interested in using the property on Harris Street to film the movie Supertroopers 2, they would need about three weeks of filming time. Medicinal Marijuana coming in a week from tomorrow for a meeting with Town Manager.

Public Hearings and Appointments

SPSP #04/22/2016 – 462, 429 Great Road, Property Redevelopment - Ms. Adachi read the public hearing notice. Ms. Green explains the Site Plan Special Permit. George Dimikrakos (Stamski & McNarry) proposes the removal of the old Pegasus Tack Shop (cleared property 6/6/2016), and build a 8,800 square foot building to redevelop the property into an automobile sales and service center. The new building is set back further than the old building giving more street view. Mr. Dimikrakos stated the maximum amount of parking spots is 16. All parking spots will be located below the building (underground). There is bicycle parking and handicap parking. There will be an elevator inside of the building for ADA compliance. There was an indication from DRB that they did not like the concrete on

the outside of the building. The new building will be brought up to keep the concrete 2-3. Landscape will be dense on the apartment building side.. The Board of Health has approved the septic system plans. Ms. Osman asked about the second entrance that DRB was concerned about. Mr. Dimikrakos revealed that their plans show that they complied with DRB's request to only show 2-2 ½ feet of concrete exposure. The septic system drives the condition of the grade of the land.

Ms. Adachi would like Mr. Dimikrakos to go back to the advisory board to present the plan design.

No questions from BOS or audience.

Ms. Green recommends to close the hearing tonight and to bring the revised plans back to DRB to consult with them about their revisions. Some comments from Engineering about draining problems but those are being looked at. Add it to the list of conditions. Ms. Green moved to approve the the draft decision as written by the Planning Department on the condition to bring the revised plans back to the DRB for review and to consult about the revisions, Ms. Adachi seconded. All Ayes (4-0), Alleged Over Service, Makaha Restaurant – Ms. Adachi read the public hearing notice. Representing Makaha restaurant was Mr. Raymond Cheng, representing Acton Police Department was Deputy Chief Richard Burrows, James Cogan, Fred Rentschler and Douglas Mahoney, arresting officer. Ms. Adachi read a statement from the Chair. Ms. Osman swore in Office Douglas Mahoney as a witness. No questions from the board.

First we knew about DUI - April 2016

James Cogan went to Makaha after the incident

Ms. Osman asks purpose of this hearing and why the Board has not heard anything about this incident.

Ms. Green asks to hear from the Licensee, Mr. Raymond Cheng. Ms. Osman swore in Mr. Cheng. Mr. Cheng stated that on the last Sunday of every month, the management holds service of alcoholic beverage training for their employees. Approximately 2:30pm on March 5, 2015, 3 people consumed a total of 8 mai tais, and food. Around 4:00-4:30pm, one patron asks to leave car as he did not feel as though he should drive and called his mother to come to bring them home. The bill was paid at 4:34pm. According to the Police report, the arrest occurred at 6:34pm.

Ms. Green states that she feels that there is no proof of over service at the Makaha in part due to the time gap.

No further questions from the Board.

Anthony Cardello is sworn in to speak in defense of the Makaha.

Ms. Green moved to find no violation of the liquor license, Mr. Chang seconded. All Ayes (4-0)

Mr. Cheng spoke about how this has affected his business; he does not want people to drive and has spent over \$15,000 for lawyers in order to face the Board.

Selectmen's Business

Recommendation on Electric Aggregation Consulting Firm – Mr. Ledoux - Approved at Town Meeting to move to an Electrical Aggregation plan.. Consulting firm will work with town and hold the bids, analyze, and education. The May 11th review committee consisting of Mary Smith - GAB, Steve Long - Green Acton, Andrea Ristine – Municipal Properties, Matthew Selby – Land Use and Economic Development Director,, and Steve Ledoux. Interviewed 3 firms and last Wednesday evening reviewed notes and references, talked to Town Managers that utilized firms of all 3 companies. All are good and confident, and all the Town Managers that were consulted spoke highly of the firms. Colonial Power Group, Good Energy, and Paragreen Energy group were interviewed. All 5 ranked Paragreen with #1, Colonial Power Group #2, and Good Energy #3. President is the former commissioner of energy, process of going through DPU. Jon Shortsleeve was one of the leading components for buying streetlights for municipalities to cut cost. Community outreach can be geared towards the non-english speaking clients. Mr. Ledoux asks board for recommendation to go forward and make a deal. Ms. Green asks if the Town would be selecting the

Mr. Ledoux explains that there could be 3 options. One would be default, one partially green, and one more green. Depending on what the consultant and board decide. Ms. Adachi asks when this would be going to happen. Mr. Ledoux states the goal is to have bids out for November to get the rate lock for the winter. No further questions from the Board. Ms. Green moves to authorize Electric Aggregation – Ms. Osman seconded. All Ayes (4-0)

Selectmen to Discuss Calling for Special Town Meeting, October 5, 2016 – Mr. Ledoux discussed about an article to increase the CPA surcharge article to bring to a Special Town Meeting. Only location available for the Special Town Meeting is at the upper field house at the High School. Many conflicts bring it down to two days Wednesday, October 5, 2016 and October 13, 2016. Ms. Adachi asks Mr. Ledoux to explain accepting proposals for a lease for Senior Center - bids are due on June 16th.. Possible warrant articles will be a current tentative agreement on fire contract, union has not ratified yet, Town starting ALS – need to give a6 month notice to CMERA, and appropriations for a building lease for the Senior Center. Question from Mr. Chang, he does not see a need to do another special town meeting for a light agenda. Ms. Green disagrees; she believes there are enough pressing issues.

Ms. Green moves to call for a Special Town Meeting on October 5, 2016, Ms. Osman seconds. 3 Ayes, 1 Nay (Mr. Chang)

Selectmen's Reports:

Selectmen Reports are included in the agenda packet on docushare. There were no questions.

Consent Agenda

Ms. Green moved to consent items 5-15, Mr. Chang seconds, All Ayes (4-0)

Ms. Green moved to adjourn, Ms. seconded. All ayes (4-0)

Respectfully Submitted,



Lisa Tomyl, Recording Secretary



Frances J. Osman, Clerk