

**BOARD OF SELECTMEN AND SEWER COMMISIONER'S SPECIAL MEETING**

**March 6, 2017  
Francis Faulkner Room 204  
Regular Meeting 7:00 PM**

**Present:** Peter J. Berry, Janet K. Adachi, Franny Osman, Katie Green, Town Manager Steve Ledoux, Lisa Tomyl, Recording Secretary

**Absent:** Chingsung Chang

Mr. Berry opened the meeting at 7:00 PM leading the Pledge of Allegiance.

**Citizen Concerns**

None

**Chairman's Update/Operational Update**

Mr. Berry – The Board of Selectmen held a regular meeting last week - not many announcements – had a hearing scheduled for stormwater management bylaw – Engineering Department requested to pull it for Fall Town Meeting. This Saturday the schools (sponsored by the League of Women Voters) will have a Civics Bee in room 204. Town elections are this March 28<sup>th</sup>. There are 3 candidates for Board of Selectmen. League of Women Voters will be having a forum (for the candidates) on March 15<sup>th</sup> in room 204 at 7:00 PM. There is also competition (of candidates) for the Library Board of Trustees. Town Meeting starts on April 3<sup>rd</sup>.

Mr. Ledoux – Tomorrow will be holding assessment center for Police Chief. The assessment center puts candidates through real life scenarios. Tomorrow afternoon there is a meeting of our staff, and Maynard town staff to talk about a 40B project on the Acton/ Maynard line – approximately 240 units with 200 in Acton – this will bring Acton's Affordable Housing close to 10%. Need to talk about sewer, water, and other items. Acton Agenda TV show will be highlighting Insulet Corporation regarding the TIF article for Town Meeting. ALG meeting on Thursday morning.

**Public Hearings**

Entertainment License, Filho's Great Road – Mr. Berry read the public hearing notice. Representing Filho's Great Road is Richard Ganazzo. Looking to have acoustic solo acts in the lounge area. Ms. Green inquired about the days entertainment will be held - on weekdays or weekends. Mr. Ganazzo stated they will just (have entertainment) starting one night a week. Ms. Green stated that she would be more comfortable with a set time. Mr. Gazzano stated that the restaurant is only open until 9 PM and stopping (entertainment) at 8:30. MR. Berry inquired if there is an outdoor seating area. Mr. Gazzano stated yes, but just for seating only – no plans for outdoor entertainment.

Ms. Adachi moved to approve the entertainment license, Ms. Green second. All Ayes (4-0).

Change in Manager, Not Your Average Joes – Douglas Gambis represented Not Your Average Joes. MS. Adachi inquired about his previous manager experience in Milton location. Mr. Gambis corrected that he was at the Newburyport location which has recently closed operations. Ms. Adachi wanted to be sure that the restaurant is in compliance with the liquor service laws. Mr. Gambis affirmed that it is part of our (staff) training. Ms. Osman commented that the (Acton) police are friendly and encourage to call them if a patron has reached a limit consuming alcohol. Mr. Gambis stated that our (Not Your Average Joe's) goal is not have the patron reach that level.

Ms. Adachi moved to approve the change in manager, Ms. Green seconded. All Ayes (4-0)

#### Selectmen Business

Citizen Petition Warrant Article – Defending Our Democracy – Christopher Webster presented his citizen petition as a representative of Represent Us, a group working to develop anti-corruption laws in the US. Mr. Webster read from a prepared statement. Ms. Adachi asked which other towns are you also presenting – Mr. Webster stated in Concord, Stonham, and North Andover have had similar meetings and requests for (warrant) articles regarding the non-binding request. Ms. Osman inquired about the stats of voters and where do they get their information from. Mr. Webster stated that they came from polling data. Ms. Green questioned is the resolution the same in all the towns or developed for MA in mind? Mr. Webster stated that it is very much the same on other towns in MA. It was developed by (their) headquarters.

Citizen Petition Article – Water Resource Study – Bob Sekular gave an overview of his citizen's petition – Ms. Green questioned as to why (Mr. Sekular) are requesting the Board of Selectmen to go after this study (for payment) and not the Acton Water District. Mr. Sekular stated that the Acton Water District is in support of the study but looking for someone to "flip the bill" for the study. No further questions from the BOS.

Citizen Petition Article – Affirming Acton's Right - Bob Sekular gave an overview of his citizen petition. KG – this resolution that we do our priority access – have you talked to Acton Water District regarding the need to build a Water Treatment Facility similar to the the current Concord Water Treatment Facility. BS – if it were to be accepted, the abutters would not have any problem with that requirement. KG – how do you see the 2 articles related in engaging the town' equitable access. FO – sounds like a couple of these articles have similarities on the decision and conditions from a t SPSP (still in deliberations). Ms. Adachi was cautious about the comment from Ms. Osman where this is not a SPSP hearing - was not comfortable discussing further. Mr. Berry commented that normally we petition legislature we file a home rule petition – we need the legal language in the warrant article. Perhaps ask our senator and representatives to draft the language to file to congress.

Citizen Petition Article – Water Resource Sharing – Bob Sekular gave an overview of his citizen petition. No questions from the BOS. Mr. Sekular's prepared statement is included in the minutes.

Terra Friedrichs, West Acton –Acton Water District in regards to a water study has stated on more than one occasion the it is not their job and that they don't have the land use information. Commented on the citizen warrant article regarding a special interest group she belongs to similar to represent us and working on a bill and encourage people to write to their congress rep to support it.

**Selectmen to Take Position and Assignments on Warrant Articles**

Article 1 – Recommended (4-0)

Article 2 – Recommended (4-0)

Article 3 – Board voted to take no action (4-0)

Article 4 – Recommended (4-0)

Article 5 – Recommended (4-0)

Article 6 – Deferred (4-0)

Article 7 – 20 - Recommended (4-0)

Article 21 – 24 – Deferred (4-0)

Article 25 – Board voted to take no position (4-0)

Article 26 – Recommended (3-1) Mr. Berry nay

Article 27-28 - Board voted to take no position (4-0)

Article 29-38 – Recommended (4-0)

Terra Friedrichs, West Acton – Stated about a problem with parking in West Acton in regards to Article 10. Concerned that putting a parking lot at 516 Massachusetts Ave will have businesses take up the parking space and that it should be reserved for playground visitors and municipal parking only. Mr. Ledoux explained that there were stipulations regarding the sale of the property and utilizing it for municipal parking.

Board to Review Draft Reserve Policy - Mr. Ledoux presented the draft reserve policy with a recommendation to have a policy with a floor of 3% and a ceiling of 8%. Most bonding agencies like to see 10%. Ms. Adachi had some questions about some of the wording. Ms. Osman agrees with Janet but thinks that the last 2 paragraphs of the rational should be in the introductions.

**Consent Items**

Ms. Adachi held item 7, requested to change the language from “consisted to compose”. Ms. Adachi moved to approve consent item 7, Ms. Green seconded. All Ayes (4-09). Ms. Green moved to approve consent items 6, 8-11, Ms. Adachi seconded. All Ayes (4-0).

Ms. Adachi moved to adjourn, Ms. Green seconded. All Ayes (4-0). Meeting adjourned at 9:30 PM.

Respectfully Submitted,

**Drafted but not finalized by Clerk, 2016-2017**

**Approved by Board of Selectmen as is,**

---

Lisa Tomyl, Recording Secretary

---

Franny Osman, Clerk