

# BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

June 25, 2007  
Acton Town Hall, Faulkner Hearing Room  
7:00 P.M.



## EXECUTIVE SESSION AT 6:00 P.M.

Present: Lauren Rosenzweig, Peter Berry, Paulina Knibbe and Dore' Hunter. The Town Manager was present. The meeting was not televised.

DORE' HUNTER – Moved to go into Executive Session to discuss Litigation, and to adjourn into Regular Session. Roll Call – All Ayes (Selectman Magee was not present).

## REGULAR SESSION

Present: Andrew Magee, Lauren Rosenzweig, Peter Berry, Paulina Knibbe and Dore' Hunter. The Town Manager was present. The meeting was televised.

Dore' spoke about this being the last meeting for Don. Dore' described Don as calm and honest. Dore' noted that Don has served 23 various Board members during his 20 years as Manager.

## CITIZENS' CONCERNS

Herman Kabakoff – Asked about Verizon and the contract or agreement that requires them to televise our meetings. Those meetings are not being shown. Dore' said it is a problem being negotiated between Comcast and Verizon.

## OPERATIONAL MINUTE –

Don thanked the Board and staff and citizens of Acton for their support during his term as Town Manager. On another note, Don spoke about the passing of Nancy Howell, our cemetery secretary who passed away suddenly and will leave a big hole for us to fill.

Lauren spoke about Bill Cady passing away Saturday. Services at 12:00 noon on June 26<sup>th</sup>.

## PUBLIC HEARINGS & APPOINTMENTS

## OVERSIGHT MEETING WITH THE ACHC

Nancy Tavernier and Betty McManus as well as their committee were present for the meeting. Dore' asked for a vote of the document noted as Record of Votes of Board of Selectmen with regard to Willow/Central Disposition Agreement – ANDREW MAGEE – Moved to approve. PETER BERRY –second. UNANIMOUS VOTE

Nancy said that this oversight meeting is to let us know what they have been doing and their needs. Nancy thanked Lauren for her excellent Liaison duties. They would like to have the membership increased to 7 members and 3 associates.

Nancy spoke about their work. They are involved with affordable and low income home ownership. She thanked David Banner for his legal contribution.

Nancy talked about the condo buy downs with CPA funds. They have developed a ready buyer list.

Davis Place, Madison Place and Blanchard Place are 40Bs. They are preparing the notice for Blanchard Place lottery.

Non-40B units at Robbins Brook need a higher allowance of asset levels for the 55 plus residents. \$50,000 is not working it is too low.

Ellsworth Village units for 55 and over. They hope to have the lottery in the fall.

Somerset at Wampus Ave. ACHC will have three units to sell.

Nancy spoke about the duties of ACHC increasing and noted that she is working 20 hours at home. Nancy feels that they will need more help from Planning Department.

Nancy said that ACHC is an Advocate for housing for hard working people.

The Board thanked them for their hard work and efforts to provide affordable housing.

#### **ASSABET RIVER RAILTRAIL (AART) CONCEPTUAL DESIGN FOR CROSSING THE COMMUTER RAIL LINE**

Roland Bartl spoke about the potential issues with regard to this site. The Consultant presented several options regarding bridging to get to the parking lot on Central Street. Dore' thanked them for addressing the issues from the last meeting.

Ann Forbes asked about the bridge design. They have been looking at options for the bridge design.

Lauren said that Option C was outstanding. Lauren asked that they consult with the HDC about the bridge materials.

Paulina asked about the possibility of taking the bike racks from the Commuter Lot and moving them to the end of the trail at the Rail Road Street Parking lot and have it be the end of the bike trail at that point.

Roland said there might be a higher need of bike lockers, and you will lose parking spots with the installation of Bike Lockers.

Dore' preferred the sweeping alternative. Dore' noted the land on Rail Road Street is not owned by the Town, it is owned by the MBTA.

Roland asked if the Board could make a decision on this at this meeting so that he could bring it to MassHighway. ANDREW MAGEE - Moved to support the Plan on the South side of the Maple Street that we adopt the sweeping outline as shown today and the crossing of Maple Street. LAUREN ROSENZWEIG - second. Peter offered an amendment to leave options open. Andy said this is a vote for guidance only.

Paulina spoke about the switch backs on the North side and expressed concern that and we will have a problem with losing parking spots. She wonders if we have to attach to the Train Station to get this funded.

Dore' noted that the Ramp B with the switch backs was not a good idea.

Andy commented that this is more a commuter path than a leisure path.

#### **40B PROJECT IN CONCORD, ESSCO LAND OFF SUDBURY ROAD IN ACTON**

The proponent is referred to Alexon in Concord. The developer gave an overview of the proposed project. The site plan is very preliminary at this point. They have made the first step at MassHousing for a site eligibility letter and will file for a Comprehensive Permit in August. They will have a self contained septic system and leach fields. They have discussed Sudbury Road in meetings with departments from Acton.

Andy asked about the improvements for traffic. Paulina asked several questions about the traffic and measurements of other intersections that will be impacted. The developer said that he knew of the Sudbury Road count and it is in a preliminary form.

Paulina asked about our drinking water being affected. The Developer said they have done bore holes on the site and it has sandy soil and they will design and locate their Plant with this in mind.

Peter asked about the number of access points. Peter asked if they could locate the entrance on Powder Mill Road.

Andy asked about the parcel owned by Thoreau Club and if there was any municipal land that be used as an access point.

Lauren asked about where the commuters would park. The developer said that it would be likely they would go to West Concord.

Dore' asked that a letter to Concord be drafted. Don Johnson noted that we received the letter from MassHousing regarding this development and it touched on Sudbury Road and they suggested that there might be a 40B in Acton to deal with this. Dore' asked that staff bring back an appropriate letter to July meeting with our concerns and need for traffic studies, the status of the road and how it plays into Acton's concerns.

Ann Chang urged the Selectmen to be sure we get as much mitigation as we can get from the developer.

A Sudbury resident of Cranberry Road was concerned about traffic and was hoping that it could go though Forest Ridge in Concord.

## **SELECTMEN'S BUSINESS**

### **BRUCE FREEMAN RAIL TRAIL, DECISIONS FOR 25% DESIGN**

Roland Bartl said they are trying to wrap up the 10% and move forward toward the 25% Design. The meeting for the Design was positive. Many questioned the crossing of 2A.

Roland wanted to know if this plan is generally acceptable to the Board and to be sure he is looking at the right issues with regard to Rex Lumber.

Bridge – Dore' Peter, Lauren are in favor but wanted it to look better and that the height would be acceptable. She agreed that we need side walks from Davis Road and felt we should talk to MassHighway as a separate issue. Andy is also in favor of the Bridge. Andy was concerned about aesthetics. Dore' wanted the spur to Morrison and Veterans field. Peter asked about the location of the Spur in relation to Powers Gallery and Morrison Farm. Lauren supports the Veterans Field spur.

Andy wanted the pedestrian path-only to Morrison Farm. He felt if we do build a bike path and bridge to Morrison Farm we are inviting them to ride through the Farm instead of walking through the land. On the spurs he agrees with Veteran's Field choice.

Roland asked about the warning beacons for street crossings and how it works. It is a new idea and it only goes on when motion is detected on the rail trail. It will alert drivers and the cars to come to a complete stop when they are flashing.

### **TOWN MANAGER SEARCH**

Dore' spoke about the Search Committee observers for the screening committee. Dore' is withdrawing his memo.

### **SIDEWALK COMMITTEE**

Paulina asked for approval for the members they have chosen. Paulina said that they had many qualified applicants. She tried to get variety of members for this committee.

Paulina also asked for feed back on the Charter she wrote. The term is 3 yrs.

**PAULINA KNIBBE - Moved to appoint the members as listed. LAUREN ROSENZWEIG - second. UNANIMOUS VOTE**

### **JONES FIELD RESERVED PARKING PROGRAM EXTENSION**

Lauren said the neighborhood had not made any comments with regard to the extension. **ANDREW MAGEE – Moved to continue program as outlined for another year LAUREN ROSENZWEIG - second, UNANIMOUS VOTE**

### **SITE DEVELOPMENT PLAN #02/19/3-388, 60 POWDERMILL ROAD, CASH SECURITY**

Staff recommendation is that we deny. **ANDREW MAGEE – Moved to deny the request. LAUREN ROSENZWEIG - second. UNANIMOUS VOTE**

## **FY08 REAPPOINTMENT LIST**

Peter Berry wanted to amend the Reappointment List as follows: Historical Commission William Dickinson, to be a Full Member  
Frank Calore reappointed as a full member on Recreation Commission

PAULINA KNIBBE – Moved to accept the Amendments as proposed by Peter. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

## **ALG UPDATE**

Dore' updated the Board on the proposed ALG schedule for the upcoming season. Dore' outlined the items discussed at the last meeting. Staff was asked to put the meetings on the agenda for the Selectmen

## **FITCHBURG COMMUTER RAIL LINE**

Dore' updated the Board on issues that were discussed at the last meeting.

## **BANNER REQUEST, MASSACHUSETTS AVENUE AT SPRUCE STREET**

The Board asked if a banner space was open to accommodate this request. The Board discussed setting a precedent of public use of Banner locations. Dore' said the Board could approve this request as we have an opening at the time they want to hang the banner. Lauren said she was supportive for one week if a slot is open. LAUREN ROSENZWEIG – Moved to approve. PETER BERRY -second. UNANIMOUS VOTE

Paulina suggested we find another location for addressing returning soldiers. Dore' noted it should be for military returning from Combat Theaters.

Andy said it should be for returning servicemen.

Staff was charged to develop a policy and find a place to hang banners. Staff was also asked to look into fees that could be charged for hanging the banners.

## **CONSERVATION RESTRICTION, WOODLANDS AT LAUREL HILL**

Andy outlined the Conservation Restriction. Andy discussed the changes to the restriction.

Approve with condition that Town Counsel get more comfortable with the changes

## **OTHER BUSINESS**

Peter reported on the Wireless committee. The Committee may not be able to meet the deadline. They will also need legal monies.

Dore' noted that we need to settle on a date for the Fall Special Meeting.

Lauren updated the Board on Method Machine Tools. Kristen Alexander is working with the State with regard to the tax incentives.

Lauren updated the Board on the Shuttle Bus meeting. Acton is in a study and will find out what the study says about Acton and if we have the right mix for having a shuttle, as well as other funding sources that might be available.

Andy reported on Water Resources Advisory Committee meeting. They have received only one proposal for the capacity study. They have scheduled the meeting with DEP to approve the methodology and we should have a report rather quickly.

Andy spoke with Jim Deming to discuss the sidewalks on Main Street. Andy thinks we may have the ability to make some safety changes as well as aesthetic changes. Work on Water District lands may require their Town Meeting action.

Both Lauren and Paulina wanted to have the construction begun this year.

Staff was asked if the project doesn't go through are there other projects that may be built. John will contact Staff to review the list for any possible sidewalks that could be begun.

#### **CONSENT AGENDA**

Peter asked to hold item 16, June 4 Minutes.

PAULA KNIBBE – Moved to hold. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

LAUREN ROSENZWEIG – Moved to accept the Consent Agenda as amended in the extra info mail. ANDREW MAGEE- second. UNANIMOUS VOTE

#### **TOWN MANAGER'S REPORT**

Don asked if we could find another Bankruptcy Attorney to help with the Grace Suit, once the current Attorney finished the work he was doing currently

#### **EXECUTIVE SESSION**

Christine Joyce  
Christine Joyce, Recording Secty

Lauren A. Rosenzweig  
Clerk, Board of Selectmen

8/13/07  
Date

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

**SPECIAL EXECUTIVE SESSION**  
**6:00 P.M.**

*Francis Faulkner Meeting Room,  
Town Hall*

**June 25, 2007**  
**7:00 PM**

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

**1. 7:02 OPERATIONAL MINUTE**

The Town Manager will provide a brief report on topics of interest.

**2. 7:30 OVERSIGHT MEETING, ACTON COMMUNITY HOUSING CORPORATION**  
Enclosed please find Materials in the subject regard, for Board consideration.

**3. 7:45 ASSABET RIVER RAIL TRAIL (ARRT), CONCEPTUAL DESIGNS FOR  
CROSSING THE COMMUTER RAIL LINE.**

Enclosed please find materials in the subject regard, for Board consideration.

**4. 8:15 40B PROJECT IN CONCORD, ESSCO LAND, OFF SUDBURY ROAD IN  
ACTON**

Enclosed please find materials in the subject regard, for Board consideration.

**III. SELECTMEN'S BUSINESS**

**5. BRUCE FREEMAN RAIL TRAIL, DECISIONS FOR 25% DESIGN**

Enclosed please find materials in the subject regard, for Board consideration.

**6. TOWN MANAGER SEARCH**

Enclosed please find materials in the subject regard, for Board consideration.

**7. SIDE WALK COMMITTEE FORMATION UPDATE**

Selectman Knibbe will update the Board in the subject regard.

- 8. JONES FIELD RESERVED PARKING, PROGRAM EXTENSION**  
Enclosed please find materials in the subject regard, for Board consideration.
- 9. SITE DEVELOPMENT PLAN #02/19/03-388, 60 POWDER MILL ROAD, CASH SECURITY**  
Enclosed please find materials in the subject regard, for Board consideration.
- 10. FY08 REAPPOINTMENT LIST**  
Enclosed please find materials in the subject regard, for Board consideration.
- 11. ALG UPDATE**  
Enclosed please find materials in the subject regard, for Board consideration.
- 12. FITCHBURG COMMUTER RAIL LINE**  
Chairman Hunter will address the enclosed materials.
- 13. BANNER REQUEST, MASSACHUSETTS AVENUE AT SPRUCE STREET**  
Enclosed please find materials in the subject regard, for Board consideration.
- 14. CONSERVATION RESTRICTION, WOODLANDS AT LAUREL HILL**  
Enclosed please find materials in the subject regard, for Board consideration.

- 15. OTHER BUSINESS**

#### **IV. CONSENT AGENDA**

- 16. ACCEPT MINUTES**  
Enclosed please find Regular and Executive Session Minutes of April 23, 2007, and, Regular and Executive Session Minutes of June 11, 2007 and the Regular Minutes of June 4, 2007 for Board consideration.
- 17. DISCLOSURE REQUEST, ANNE FORBES, HISTORIC DISTRICT COMMISSION**  
Enclosed please find materials in the subject regard, for Board consideration.
- 18. OBSOLETE MATERIALS DISPOSAL, ACTON MEMORIAL LIBRARY**  
Enclosed please find materials in the subject regard, for Board consideration.
- 19. ONE DAY LIQUOR LICENSE, NARA PARK**  
Enclosed please find a request for a One-Day-Liquor License from Brontes Technologies, a 3M Company, for a company Barbecue, on June 30, 2007, for Board consideration.
- 20. FAIR LICENSE, ACTON LIONS CLUB**  
Enclosed please find a request for a Fair License for the Acton Lions Club Fair, August 22-26, for Board consideration.

**21. ACCEPT GIFT, CITIZENS' LIBRARY**

Enclosed please find a gift of \$85.00 from the Citizens' Library Auxiliary for an annual pass to the Fruitland's Museum in Harvard, for Board consideration.

**22. ACCEPT GIFT, MUNICIPAL PROPERTIES**

Enclosed please find a gift of \$769.00 from the Acton Garden Club to be used for plantings on the Town Common and at the Public Safety Building, for Board consideration.

**23. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$50.00 from Acton Medical Associates to be used to support the Summer Concert Series at NARA Park, for Board consideration.

**24. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$50.00 from Animal Emergency Care to be used to support the Summer Concert Series at NARA Park, for Board consideration.

**25. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$50.00 from the law office of Christine Morgan, to be used to support the Summer Concert Series at NARA Park, for Board consideration.

**26. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$100.00 from AAA Southern New England, to be used to support the Summer Concert Series at NARA Park, for Board consideration.

**27. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$500.00 from Workers Credit Union, to be used to support the Summer Concert Series at NARA Park, for Board consideration.

**28. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$50.00 from Joseph G. Perry Plumbing and Heating, to be used to support the Summer Concert Series at NARA Park, for Board consideration.

**29. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$200.00 from Mr. Matt Murphy for the Elm Street Lighting Project, for Board consideration.

**30. ACCEPT GIFT, RECREATION COMMISSION**

Enclosed please find a gift of \$6,800.00 from David B. Hipsky, Thoughtforms Corporation Inc., of a new Bench at Jones Field, for Board consideration.

**31. ACCEPT GIFT, ACTON POLICE DEPARTMENT**

Enclosed please find an offer of complimentary routine and other services from Great Road Veterinary Hospital valued at approximately \$2,000 per year, for Board consideration.

**32. ACCEPT GIFT, ACTON POLICE DEPARTMENT**

Enclosed please find a gift of a 10% discount for all items purchased for the new police dog and a 30 pound bag of dog food per month from Especially for Pets, for Board consideration.

**V. TOWN MANAGER'S REPORT**

**VI. EXECUTIVE SESSION**

**ADDITIONAL INFORMATION**

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

**MINUTES PENDING VOTES**

May 21, 2007, Regular and Executive Session

June 7, 2007 Executive Session

**FUTURE AGENDAS**

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda.

July 16

August 13

Sept. 10

Sept. 24