

# Selectmen's Minutes

## February 25, 2002

### 7:00 P.M.

Present: Peter Ashton, Trey Shupert, Pam Harting-Barrat, F. Dore' Hunter, Walter Foster, Town Manager and Assistant Town Manager. Meeting was televised.

## CITIZEN'S CONCERNS

Sean Anestis – Building on Hillcrest has building lot and needs to have the missing sewer stub added to the street. They will discuss with the Don Ouellette.

## PUBLIC HEARINGS & APPOINTMENTS

**PLANNING BOARD WARRANT ARTICLE DISCUSSION-** Pat Halm spoke about the four zoning articles and the changes they propose to make will make it easier to understand. The golf course article will facilitate the golf course as well as public land trails. They also discussed the petition to repeal PCRC and PUD. The proponent will move to pass over if the Planning Board submits an article to handle it.

Pam cautioned them to educate the public and make it very simple to understand.

**STA AUTOMOTIVE GROUP – CLASS II DEALERS LICENSE At 140 GREAT ROAD –** Taking over existing business and will be running the same type of business. Dore' Hunter- Moved to approve with the conditions previously on the site. TREY SHUPERT – Second. UNANIMOUS VOTE

**BOND ANTICIPATION NOTES** - Steve Barrett said the Markets look good for us. This will allow us to refinance the twin school and sewer projects.

**DORE' HUNTER** – Moved to approve the sale of a \$22,094,000 2.00 percent Bond Anticipation Note of the town dated March 5, 2002, and payable March 5, 2003, to Eastern Bank Capital Markets at par and accrued interest plus a premium of \$85,282.84- **TREY SHUPERT** – Second. UNANIMOUS VOTE (complete motion attached to these minutes)

**SCHOOL WARRANT ARTICLES** – Joanne Berry presented the AP budget. Up 4%.

John Fallon presented the AB Regional budget it is up 8.8 Percent. The increases represent a combination of new staff and recombining. Sped costs have stabilized. Peter asked if the number in the draft warrant was a different the number, or was the number in the warrant correct with E&D from the Region.

**MINUTEMAN VOC TEC** – Chuck Olmstead and Dr. Fitzgerald were present to speak about the school and budget. They are having enrollment problems. Choice students have been eliminated and they need students to take their place.

**TAC – CAC ROUTE 2** – Sam Lawton discussed TAC's memo and suggestions. They feel there is a large impact on Acton in the plans presented by Central Planning. David

Spector – 94 Taylor Road concerned that the Board was moving in the wrong direction but after this meeting he felt more comfortable.

**MAKAHA – LIQUOR VIOLATION**– Ray Cheng came before the Board to answer why he had not provided a copy of his liquor service policy. After a fruitless discussion with Mr. Cheng about the policy he developed for the Board's review, DORE' HUNTER – Moved the Board voted to direct Makaha go through Tips and show certification he has taken it, and bring back a revised policy in writing attesting that he, only, wrote it and has instructed staff of the policy and to return within 14 days with the revised policy for the Board to review. TREY SHUPERT – Second. UNANIMOUS VOTE. Peter again said he wants him to go through Tips and write us a letter certifying he has completed course. They suggested he contact Jack Mendosa about sharing the cost of a Tip Class. DH/TS

The Board suggested he contact Jack Mendosa to get copies of their guidelines and information on the Tips Program.

## **SELECTMEN'S BUSINESS**

**TEAMING AGREEMENT** –Don said he had minor revisions in item 10 and has not had a chance to do it yet. DORE' HUNTER - Move to support the Teaming Agreement with change to item 10 and authorize and sign the signature page. TREY SHUPERT - Second. UNANIMOUS VOTE

**WARRANT DISCUSSION** - Need to get an article from Terry Lindgren. They agreed they needed to have an A and B budget ready.

They are going to add a new article before the Citizen's Petition- DORE' HUNTER - Move we put in language of paragraph F of Feb 25 Memo and to recommend it on the warrant. TREY SHUPERT – Second. UNANIMOUS VOTE.

Dore' was conflicted thinks teaming is a fine idea, does not oppose team but felt we could wait.

Pam was concerned that these children are at a difficult age and need a team size that is manageable. She thinks we need to have the teams. She felt we need to do what we can to help the children. She feels the Board of Selectmen should not be making decisions for the school system regarding programs.

Trey noted he is in favor of the 7<sup>th</sup> grade team and agrees with the concept but felt they could make cuts elsewhere. He suggested we defer at this point and to see what ALG meeting holds.

Charlie agreed with Pam about not managing the schools program. He said that it is appropriate to look over the overall financial situation facing us, if we vote these numbers we will have to use free cash.

Financial Soft ware – we are not ready to move ahead at this point the number now looks like \$200,000 as opposed to \$400,000

DORE' HUNTER – Moved to put an article in warrant for \$25,000 out of JTAC . TREY SHUPERT – Second. UNANIMOUS VOTE.

TREY SHUPERT - Move to accept the operating budget based upon the new numbers presented tonight, WALTER FOSTER – Second. UNANIMOUS VOTE.

O&M – They discussed and will not vote it this year and research it further.

**PETITIONER'S SPECIAL TOWN MEETING** -It was suggested that we call the special town meeting for April 2, Tuesday at 7:00 P.M. at ABRHS Auditorium TREY SHUPERT – Moved to hold the special on April 2 at 7:00, and to close the warrant for the Special at the conclusion of this meeting. DORE' HUNTER – Second. UNANIMOUS VOTE.

**DORE' HUNTER** - Move we don't recommend the special Article to demolish the Towne School. TREY SHUPERT – Second. UNANIMOUS VOTE. Peter would be the Selectman assigned.

**ZONING ARTICLE**- Mr. Melon, Piper Road – Walter Foster recused himself. They wanted to be sure that it was not housekeeping, that it was left that way and it was intentionally done. They wanted Roland to write an affidavit,

**DORE' HUNTER** – Moved to Transmit the petition to Planning Board and we notify the owners of the other two parcels and to include the other two parcel owners and an affidavit indicating it was not an oversight. TREY SHUPERT – Second. UNANIMOUS VOTE

**SITE PLAN DISCUSSION 11/13/97-360 – 80-82 NAGOG PARK**  
DORE' HUNTER – Moved to approve. PAM HARTING-BARRAT – Second. UNANIMOUS VOTE.

**RESOLUTION SUPPORTING PRODUCER TAKE BACK OF CRT's, ELECTRONICS AND HOUSEHOLD HAZARDOUS PRODUCTS**  
DORE' HUNTER – Moved to Endorse the Proclamation. PAM HARTING – BARRAT. SECOND. UNANIMOUS VOTE.

**SKATE PARK** – Peter discussed the draft letter under Peter's signature on surplus parcel of land Hayward at Route 2. DORE' HUNTER - Moved we authorize letter and modify as he thinks needed. TREY SHUPERT – Second. UNANIMOUS VOTE. We should CC our legislators

**UPDATE ON PCRC/PUD BYLAW STUDY COMMITTEE** – Trey updated the Board of the results of the study committee. They have made a lot of good progress on the repeal. They have agreed based upon Roland's review that there are no current parcels that qualify for PUD. They have spoken to Town Counsel and he has said that if it is repealed it could cause trouble for Acorn Park. Counsel has suggested an article before this one that says Planning Board can not approve any PUD and would signal all that PUD's are closed out and to amend the bylaw making it clear. If voted positively at town meeting the petitioner's would move to pass over their article. Trey wanted support to go forward with an expanded study group and report back to the board. Peter suggested they check into other community's bylaws to see what they have. Dore' asked that Trey write an objective for the committee as well as an end date for the committee.

## **OTHER BUSINESS**

Exchange Hall – Trey discussed the proposal presented by Glenn Berger. He is moving slowly and wants to work out a deal with the Town to use parking lot or purchase our small lot

MBTA ADVISORY BOARD – Dore' noted that they will be meeting to discuss capital expenditures.

Pam asked about the Sewer Commissioner's and when members of BOS would no longer serve in that position. Peter felt we needed to get it up and running.

## **CONSENT AGENDA**

TREY SHUPERT – Moved to approve with change to taxes on #21 and #22, we have had a great deal of delay on the sewer project because of NStar. We have already paid them. He says we need to get a better handle on this and Don will need to send a letter to inform them we will be taking and copies to Public utilities. We will Grant this, petition, but put letter attached to it expressing our displeasure with the delays. PAM HARTING-BARRAT – Second. UNANIMOUS VOTE

## **TOWN MANAGER'S REPORT**

Don reminded the Board about the 2020 meeting on Monday.

## **EXECUTIVE SESSION**

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Christine Joyce  
Recording Clerk

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Clerk

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Date

February 22, 2002

**TO:** Board of Selectmen  
**FROM:** Peter Ashton, Chairman  
**SUBJECT:** Selectmen's Report

**FEBRUARY 25, 2002**  
**PLEASE NOTE THAT THE MEETING BEGINS AT 7:00 P.M.**

**I. CITIZEN'S CONCERNS**

**II. PUBLIC HEARINGS & APPOINTMENTS**

1. 7:01 **PLANNING BOARD WARRANT ARTICLE DISCUSSION** – Planning Board representatives will meet with the Board to discuss planning related articles on the Annual Town Meeting Warrant.
2. 7:10 **STA AUTOMOTIVE GROUP – CLASS II DEALERS LICENSE, 140 Great Road** Enclosed please find application for a Class II Dealers License, along with staff comment.
3. 7:15 **BOND ANTICIPATION NOTES RESULTS/SIGN OFF.** - Staff will present the results of bond bids received February 21, for Board consideration.
4. 7:20 **SCHOOL WARRANT ARTICLES**- The School representatives will be present to discuss their Warrant Articles
5. 7:50 **MINUTEMAN VOC-TECH** – Supt. Fitzgerald will be in to discuss Minuteman's budget Article for FY03.
6. 8:00 **TAC** – Enclosed please find a memo from the Transportation Advisory Committee regarding proposed Route 2 improvement alternatives. Representatives of the TAC will discuss these comments with the Board.
7. 8:30 **MAKAHA** – Mr. Cheng will be in to discuss the delay in his providing a liquor service policy as required by the Board. Also enclosed is another notice from the District Attorney's Office.

**III. SELECTMEN'S BUSINESS**

8. **TEAMING AGREEMENT** – Enclosed please find a copy of the proposed Information Technology Teaming Agreement for Board consideration.
9. **WARRANT DISCUSSION** – Enclosed please find the latest version of the warrant, as well as a Citizen's Petition to demolish the Towne School building.
10. **PETITIONER's SPECIAL TOWN MEETINGS** – Enclosed please find two petitions for Special Town Meetings for Board Consideration.

11. **EXTENSION REQUEST SITE PLAN #11/13/97-360, 80-82 Nagog Park** – Enclosed please find materials from the Building Commissioner for Board action.
12. **RESOLUTION SUPPORTING PRODUCER TAKE BACK OF CRTs, ELECTRONICS & HOUSEHOLD HAZARDOUS PRODUCTS.** Enclosed please find a proposal resolution for Board consideration.
13. **SKATE PARK** – Enclosed please find a draft response to the State regarding the State-owned Surplus Property along Route 2 Eastbound @Hayward Road.
14. **EXCHANGE HALL** – Selectmen Shupert will address the Board regarding the enclosed.
15. **UPDATE ON PCRC/PUD BYLAW STUDY COMMITTEE** – Selectmen Shupert will email and update to the Board this weekend and be prepared to discuss it on Monday

## **16. OTHER BUSINESS**

## **IV CONSENT AGENDA**

17. **APPROVE MINUTES** – Enclosed please find the minutes from January 28 and January 4<sup>th</sup> for Board action.
18. **RECREATION ASSOCIATE MEMBER** – Enclosed please find Ms. Gallagher's VCC sheet and the VCC's recommendation to appoint her as an Associate Member to the Recreation Commission for a term to expire June 30, 2002.
19. **USE OF TOWN COMMON** – Enclosed please find a request and staff comment with regard to the use of the town Common for the Acton Garden Club Plant Sale.
20. **ONE-DAY LIQUOR LICENSE** – Enclosed please find a request from the Boxboro PTO for a One day liquor license in conjunction with their Auction for Board review.
21. **SITE PLAN SPECIAL PERMIT - #12/18/01-380** – Enclosed please find the draft decision prepared by staff.
22. **CONDUIT LOCATION – 9-13 Rail Road Street** – Enclosed please find the request from Boston Edison and staff comment.

## **V. TOWN MANAGER'S REPORT**

## **VI EXECUTIVE SESSION**

### **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.

Mtgs. Begin at 7:00 P.M.

**NOTE THAT THE BOARD NOW MEETS ON MONDAY'S**

March 11 – Street Acceptance

March 25

**GOALS 2001-2002**

1. Resolution of on-going Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Peter)
3. Towne Building Reuse (Walter/Dore')
4. ALG process be used for purpose of Budget Planning for FY '02 (Peter/Trey)
5. Residential and Commercial Growth (Walter/Trey/Pam)
6. Open Space and Recreation Plan (Peter/Walter)
7. Health Insurance Trust Agreement (Peter)
8. HDC Bylaw Review (Dore'/Peter)
9. Decision on Pentamation Accounting System (Dore'/Pam)
10. Process Planning for "Life after NESWC" (Pam)

**FY 2000 GOALS carried forward**

11. Public Safety Facility (Dore'/Trey)
12. Determine future of Vallencourt House - 17 Woodbury Lane.
13. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter)