



SELECTMEN'S MEETING

June 25, 1996

The Board of Selectmen held their regular meeting on Tuesday, June 25, 1996 at 7:30 P.M. Present were Chairman Nancy Tavernier, F. Dore' Hunter, Wayne Friedrichs William Mullin, Herman Kabakoff, , Town Manager Don Johnson, and Assistant Town Manager John Murray. {The meeting was televised by cable}.

CITIZENS CONCERNS

None expressed.

PUBLIC HEARINGS AND APPOINTMENTS

CHARLES JONES

PERSONNEL DIRECTOR

INTRODUCTION

Mr. Johnson stated that Charlie came to us through a referral from a Personnel Board member and has impressive credentials. Charlie is currently a School Committee member for the Town of Ayer and has participated as a joint board member for the redevelopment of Fort Devens and also a Selectmen for the Town of Ayer. The Board welcomed Mr. Jones and stated that they are delighted to have him aboard.

MINUTEMAN TECHNICAL

BOB WILTSE AND RON FITZGERALD

Ron Fitzgerald, Superintendent and Bob Wiltse, School Committee member were present before the Board to update the Board on Minuteman funding issues. They hoped that a Fin Com member will be named as a liaison representative to Minuteman so that budget action for FY 98 can be accomplished. Three communities, Arlington, Lexington and Belmont are criticizing Minuteman costs and fiscal management for FY 98. Minuteman has decided to continue to use revenue to reduce assessments as has been their practice and to subject vocational - technical students to lower area support standards. Due to these new developments next year's budget process will start with pre-budget presentations on September 17 and formally on December 17th. A special budget meeting has been set up in order to answer questions and concerns, and also for representatives to attend all budget meetings and to have the annual public hearing in February 1997.

DONNA DeBOEVER
HISTORIC DISTRICT COMMISSION

The Board questioned Ms. DeBoever regarding her volunteering for this Commission. Ms. DeBoever recently graduated from Boston University with a masters in preservation studies. Bill Mullin asked Ms. DeBoever what her philosophy was regarding Historic places. Ms. DeBoever stated that she has watched the destruction over the years due to the philosophy that newer is better. Ms. DeBoever stated that our children need to understand that this is wrong, along with the community. Ms. DeBoever stated that she hoped that people purchase in the Historic District in order to respect their property and that there is communication regarding what the purchase means prior to final sale. Herman Kabakoff asked Ms. DeBoever's experience with synthetic materials. Ms. DeBoever stated that synthetic materials on old buildings make the wood deteriorate more rapidly due to the fact that the wood is not allowed to breathe. , however, it may be okay to use it on a new building that you are trying to make historic looking. Dore' questioned the bureaucratic process regarding going to this Board (HDC) to find out if you need to go to the HDC and asked Ms. DeBoever what she thought of this process. Ms. DeBoever stated that she would like to look at this process further. Wayne stated that Ms. DeBoever did a superb job answering the questions. DORE' HUNTER - Move to appoint Donna DeBoever to the Historic District Commission as a full member with her term expiring 6/30/99. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE.

JEAN SIFLEET
UNIFIED PERMITTING PROCESS

Ms. Sifleet was present before the Board to discuss Unified Permitting. Ms. Sifleet stated that she would like the annual audit to be expanded to include management practices in order to see if we can improve upon the Town's business practices. Ms. Sifleet stated that when Fort Devens went to an unified permitting process a guidebook was developed and Ms. Sifleet suggested we do the same. The Building Department presently has the "Town of Acton Development Guide" which helps in the process of obtaining permits for Development and construction. Ms. Sifleet stated she had not see this and was provided a copy. Ms. Sifleet suggested that a few projects be picked in order to be used as guidelines. It was asked if the Auditors that we currently use are experienced in management auditing. Don stated that an independent auditor would need to be hired. Bill Mullin stated that the premise indicates that there is something wrong with our process. Ms. Sifleet stated that she is only looking for improvement. Mr. Mullin also stated that it would be wise to make the permit tracking system more efficient which could be done with software. Don stated that a "task force" type committee be set up to review our current processes regarding permit issuing to see if improvements can be made. Ms. Sifleet was not interested in participating an a task force. The Board agreed to ask staff to do an informal internal audit to review the residential permitting process to

see if there were areas needing improvement. Wayne Friedrichs thinks that performance audits are the scam of the 90's and is skeptical of them.

SELECTMEN'S BUSINESS

WINDSOR AVENUE TRAFFIC ISSUES

The Board reviewed the design layout of the Windsor/Mass Ave. intersection submitted by the Engineering Department. The design will eliminate some existing parking spaces. It was asked if the crosswalk could be angled so parking spaces will not be eliminated. A public hearing needs to be set up at a future Board meeting in order to make these proposed changes.

MINUTEMAN ADVISORY GROUP ON INTERLOCAL COORDINATION MAGIC

The Board has been provided with a draft agreement between MAED and MAPC. MAGIC has asked the Board to designate a site information liaison and sign a "MAGIC Participating Community Agreement". The Planning Board has asked us to sign this and wanted to assure the Board of the importance in participating. BILL MULLIN - Move to approve draft and designate the Town Planner or his designee by the Town Manager as the site information liaison. DORE HUNTER - Second. UNANIMOUS VOTE.

COMMITTEE RE-APPOINTMENTS

DORE' HUNTER - Move to re-appoint Catherine Belbin as Town Clerk with a term expiring June 30, 1999 and Peter Berry, Board of Appeals, Mark Conoby, Board of Health, Brewster Conant, Cemetery Commission, Linda McElroy, Conservation Commission, Sandra Schmidt, Historic District Commission, Chris Mar, Personnel Board all with terms expiring June 30, 1999, and Mark Benedict & Rita Dolan, Board of Health, Margaret Beddoe, Angelene Conn, Peggy Erlanger, Ellen Kostro, Margaret McGinty, Alice Moroney, Steve Olesin & James Parker, Council on Aging, and Patrick Halm & Christopher Tolley, Planning Board all with terms expiring June 30, 1997. BILL MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to re-appoint Susan Richmond and Rosalie DeQuattro to the Acton Boxboro Cultural Council with terms ending June 30, 1999. BILL MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to reappoint James Kotanchik & Donald Rhude to the Board of Assessors with terms expiring June 30, 1999. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to reappoint Sharon Ingraham, John Covert, Laura Hirsh to the Cable Advisory Committee all with terms ending June 30, 1999 and Henry Hogan with a term expiring 6/30/98. BILL MULLIN - Second. UNANIMOUS VOTE. Bill stated that he has heard that this committee does not meet much and that he would like a copy of the minutes.

DORE' HUNTER - Move to re-appoint Anita Dodson and Bill Klauer to the Historical Commission with terms ending June 30, 1999. BILL MULLIN - Second. UNANIMOUS VOTE.

BILL MULLIN - Move to have Roland Bartl act as hearing officer for Fair Housing Coordinator. DORE' HUNTER - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to re-appoint Don Herskovitz as the Lowell Regional Transit Authority for a term ending June 30, 1997. BILL MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to reappoint Christopher Tolley as a full member of the MAPC with a term expiring June 30, 1997. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to reappoint Richard King to Minuteman Home Care with a term ending June 30, 1997. BILL MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to have chairman of the Prison Advisory Committee write to the Department of Corrections saying we would like to maintain correspondence with the manager or his designee. BILL MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to disband the Second Airport/Fort Devens Reuse Task Force. BILL MULLIN - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to re-appoint Nancy Whitcomb to the Volunteer Coordinating Committee. HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

ACTON WATER DISTRICT FEE WAIVER REQUEST

The Acton Water District has requested a fee waiver of the hazardous materials control bylaw. The fees amount to \$880.00 for 8 inspections at \$110 each plus \$160.00 in late fees. The Board discussed their fee policy which states that the Board can make a decision based on individual requests. The Water District has stated that they feel the

Health Department's inspection is a duplication of D.E.P. inspections. The Health Department has stated that they are two completely different inspections.

BILL MULLIN - Move not to waive fees for the Acton Water District in the amount of \$1040. DORE' HUNTER - Second. UNANIMOUS VOTE.

SUBURBAN COALITION

The Board discussed whether or not they should be a member of the Suburban Coalition. The membership fees are \$100/year. Nancy Tavernier stated that she is a member and that this is a worthwhile organization. DORE' HUNTER - Move to pay membership fee of \$100 to Suburban Coalition. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONTRACT PERFORMANCE REVIEW

BILL MULLIN moved to postpone this evaluation until the next meeting. Herman stated that he would like the personnel board to review Don Johnson's contract. The personnel Board's next meeting is in August so a copy of the contract would need to be mailed to each individuals home. Bill stated that this contract has been reviewed by our attorney's. Bill asked for a 10 minute recess.

Bill Mullin returned. Bill withdrew previous motion. BILL MULLIN - Move to discuss performance review , contract and compensation recommendations this evening and send the Long Term Disability Contract to the Personnel Board for their review. DORE' HUNTER - Second. 2-3 Motion fails. Herman and Wayne wanted the Personnel Board to review the material before the Board of Selectmen discussed it. Bill stated that ample time was allotted during the review process for Don's contract and this concern regarding having the Personnel Board review this contract should have been done during the review process. BILL MULLIN - Move to send Long Term Disability Contract, Town manager's Contract and Performance Review to the Personnel Board for their review by July 16, 1996. UNANIMOUS VOTE. Bill stated that this delay was not caused by Don's performance during this past year. Bill went on to say that Don had been given an excellent review and that some of his strengths and accomplishments were achieving 100% at Town Meeting, North Acton Recreation Area and managing the budget.

CONSENT AGENDA

WILLIAM MULLIN - Move to take Consent Agenda #11 out of order and approve. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE.

DORE' HUNTER - Move to approve consent calendar #12-15. WAYNE FRIEDRICHES - Second. UNANIMOUS VOTE (Bill Mullin was away from room).

TOWN MANAGERS REPORT

PLOWING OF PRIVATE WAY FORMS

The new form has been reviewed by Palmer and Dodge and is being presented to the Board for approval. DORE' HUNTER - Move to approve form. BILL MULLIN - Second. UNANIMOUS VOTE.

HAARTZ

Haartz was rezoned at the 1996 Town Meeting. In negotiations with Haartz Auto Fabric located off of Charter and Hayward Road, they agreed to a conservation restriction on a portion of their land that was to be held as a buffer for adjacent residences. Haartz submitted the final form for the conservation restriction there was a rider allowing the area to be for septic. Staff is concerned that this may be interpreted as a new condition and sought Board direction. The Board determined that the septic exception was conveyed to the Town at the beginning of the negotiations therefore the form of the conservation restriction agreed with negotiations.

YEAR END REPORT AND RECOMMENDATIONS

Staff advised the Board that the FY96 municipal budget was expected to finish the year with a \$559,000 surplus. Staff informed the Board that \$200,000 of that surplus would be needed to cover the snow and ice deficit leaving a balance of \$339,000. Based upon prior instruction and discussion by the Board, staff brought 4 projects to the Board's attention for end of year spending projects (Snow & Ice Deficit, Room 204 acoustics, Adams St. Hydrology, and Holiday Lights) for the Board's consideration. DORE' HUNTER - Move to take \$50,000 for room 204 acoustics problems including but not limited to drapes, wiring, tables and chairs, and \$50,000 for Adams Street Hydro Study. BILL MULLIN -Second. 4 - 1 with Herman voting No. Motion passes.

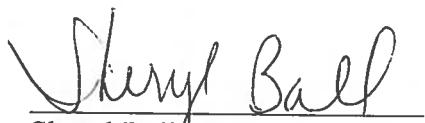
Herman expressed his displeasure regarding 11th hour spending. Nancy stated that these projects have been proposed previously and the Board had asked staff to bring these back to them at the end of the year. WAYNE FRIEDRICHES - Move to allocate \$19,500 for holiday lights and tree repair. BILL MULLIN - Second. 2-3 with Dore', Bill and Herman voting No. Motion fails.

WAYNE FRIEDRICHES - Move to go into executive session for the purpose of discussing real property. All ayes.

The Board adjourned for executive session at 11:35 P.M.


Clerk

8/20/96
Date



Sheryl Ball
Recording Secretary
Min 6_25. Doc

June 21, 1996

TO Board of Selectmen

FROM: Nancy E. Tavernier, Chairman

SUBJECT: Selectmen's Report

AGENDA
Room 204
JUNE 25, 1996

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 **CHARLES JONES** - The Town Manager will introduce Mr. Jones to the Board.
2. 7:35 **MINUTEMAN TECH** - Supt. Fitzgerald and Bob Wiltse will be in to update the Board on several issues as noted in the attached correspondence.
3. 8:00 **DONNA DeBOEVER - HISTORIC DISTRICT COMMISSION INTERVIEW** - Enclosed please find Ms. DeBoever's citizen resource sheet and VCC recommendation for a term to expire 6/30/99 for Board action.
4. 8:15 **JEAN SILFLEET** - Ms. Sifleet would like to discuss Acton's permitting processes with the Board.

III. SELECTMEN'S BUSINESS

5. **WINDSOR AVE. TRAFFIC ISSUES** - Enclosed please find staff comment and materials from Windsor Ave. Residents from the last Board Meeting for continued discussion and review.
6. **MAGIC** - Enclosed please find a draft agreement between MAED and MAPC with Planning staff comment for Board review and action.
7. **COMMITTEE REAPPOINTMENTS** - Enclosed please find recommendations from VCC and staff comment for Board review.
8. **FEE WAIVER REQUEST**: Enclosed please find a request from the Water District for waiver of fees for Board review and action.
9. **SUBURBAN COALITION** - Enclosed please find a request for dues participation for Board action.
10. **TOWN MANAGER'S CONTRACT**

IV. CONSENT AGENDA

11. ACTON HOUSING AUTHORITY- Enclosed please find a copy of the renewal Section 8 Annual Contribution Contract documents for Board Signature. Representatives will provide original documents at the Meeting for Signature.

12. PHILLIPS COFFEE - Enclosed please a request to have outside entertainment on July 7th on Spruce Street with Staff comment for Board action.

13. ACCEPT GIFT - Enclosed please find a request from staff for acceptance of services to various playing fields from the Colonial Little League and Acton Boxboro Youth Baseball/Softball for Board acceptance.

14. ACCEPT GIFT - Enclosed please find a request from staff for an acceptance of \$9,150 from Frank Melon for sidewalk construction in South Acton.

15. BETSY BALL FUND - Enclosed please find a request and comment from Staff for three expenditures from this Fund for Board action.

V. TOWN MANAGER'S REPORT

16. PLOWING OF PRIVATE WAYS- Enclosed please find a report from staff for discussion regarding the approval of the Petition for the Plowing of Private Ways.

17. HAARTZ AUTO FABRIC- Conservation Restriction- Enclosed please find correspondence from the Town Manager in the subject regard.

18. YEAR-END REPORT AND RECOMMENDATION

VI. EXECUTIVE SESSION

MEETINGS

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.

July 16 Cable Transfer Public Hearing
Mr. Panetta - Lip Application
Traffic Rules and Orders Amendment Hearings
Liquor License Transfer- Triple A

Aug 20
Sept. 10

Pcc/June25.DOC