

Selectmen's Minutes

October 6, 2003

Present: Walter Foster, Peter Ashton, William Shupert, Robert Johnson, F. Dore' Hunter, Town Manager and his Assistant.

CITIZEN'S CONCERNS

COMMONWEALTH BALLET COMPANY – The Director of the CBC gave an overview of what the company has done and will be doing in the future. The Board thanked them for the overview. TREY SHUPERT – Moved to adopt the statement supporting the CBC as prepared. DORE' HUNTER – Second. UNANIMOUS VOTE.

PUBLIC HEARINGS & APPOINTMENTS

KEY SPAN –LIBERTY STREET - LAY NEW GAS MAIN 60 FEET, 83 TO 85 LIBERTY STREET. DORE' HUNTER – Moved to approve. PETER ASHTON – Second. UNANIMOUS VOTE.

KEY SPAN –SQUIRREL HILL ROAD LAY NEW GAS MAIN – DORE' HUNTER – Moved to approve with staff comments regarding patching and bound statement attached. TREY SHUPERT – Second. UNANIMOUS VOTE.

PAUL'S DINER II – COMMON VICTUALER'S LICENSE - The applicant gave an overview of his proposed activity at the former Sunlight Café/Village Donut shop. DORE' HUNTER – Moved to approve. PETER ASHTON – Second. UNANIMOUS VOTE.

LIQUOR LICENSE HEARING– FULL PACKAGE STORE TRANSFER FROM A&D AND SONS TO LEO P. PIRO 18 POWDER MILL ROAD Dore' commended them on their liquor policy and felt it should be held up as a very good example to all those applying for a liquor license. PETER ASHTON – Moved to approve. DORE' HUNTER – Second. UNANIMOUS VOTE

LIQUOR LICENSE HEARING – NEW LICENSE FULL LIQUOR AS A COMMON VICTUALLER – O'NATURAL 144 GREAT ROAD – Peter noted that they had said that they were not wanting a license for alcohol at their original hearing. Trey asked that they have those serving take the Tip's training course. Dore' wanted to have their policy revised and more complete. DORE' HUNTER – Moved to approve with the proviso that they tighten their policy and submit within 21 days for Board review. TREY SHUPERT – Second. UNANIMOUS VOTE.

DAVIS ROAD ACCEPTANCE – Mark Burbeck, One Cart Way in Bellows Farms, gave an outline of the situation. They need to have the road accepted so that the police can enforce speed regulation. He wanted to have the parcel taken by eminent domain if they cannot get the parcel through a friendly take over. Don Johnson noted that he has no idea why they would want to keep the liability.

Steve Graham noted that at the time the transaction took place, they just missed it during the condo craze when it was transferred. The developer would like the roads taken in Bellow's Farms. He would like a friendly transaction.

Don spoke about his conversation with Mr. Bruce from Briar Brook. They want utilities and compensation. Don feels that this is doable but the treatment plant has been talked about. Trey spoke about the fact that this has been going on for 10 years. He has heard that they want easements and compensation. He felt we should go forward to a friendly taking and work through the issues and then if it goes to a hostile we will need to look at the cost.

Dore' asked that the Town Manager draw up a contract send to them and get this rectified, he also noted that they have the right to pass and repass.

Peter proposed that we demand an appointment with the Briar Brook representatives to work this out.

Graham said he was encouraged with the conversation this evening.

Walter said he agreed with Dore and Peter to get them in and get this rectified. He wanted to see what they thought, and are they aware that is a pass and repass situation. Dore' suggested that they get notices to the Briar Brook letting them know what is going on and the implications to their Association.

Sam Nablo noted that they were pleased with the attention the Board taken.

John Scanlon urged them to go ahead and take the property not to wait.

Peter said we need to demand to meet with them within the month. Staff was asked to arrange this meeting.

CONSERVATION COMMISSION OVERSIGHT MEETING –

Andy Magee gave an overview of the issues they are working on and future issues and goals. Walter thanked him for he and his committees work. Peter asked about interaction with the Water District, Andy said not that often, but is fine when they do.

RECREATION COMMISSION OVERSIGHT MEETING

Ron Schlegel, Michelle Zaremba – The commission needs one full member and two associates. They are concerned that the fees were raised and they lost beach memberships this summer. Walter asked if they are looking into field space and if any studies are being performed. Dore' asked about any plans for Morrison Property. They have a list of priorities ranging from small things to the School Street field issues. Dore' felt we need to have a plan to do a layout to see what they want to happen with those lands and he further noted that we should be coming to some consensus of what is going on with the Morrison Property. CPC funds may be available but there must be a plan in place.

Peter wanted to have them working on plans for School Street, Morrison land as well as the property behind Brook side Mall. Peter commented on beach fee decline. He would like to see recommendations from them and to help them understand the reasons why it may have declined.

Michelle expressed her displeasure in the fact that the recreation area behind the South Acton Fire is a mess with people letting their dogs defecate and just leaving it for small children to become exposed to it. A Kiosk has been set up with poop bags but when and if they do, they leave the bags on the grass and do not dispose of it properly. It has become a really unhealthy condition at that site. She asked what we could do to stop this. The Board assured her that a leash law would not combat this issue

SELECTMEN'S BUSINESS

TOWN MEETING - Don has the signed document with regard to Station Master House. DORE' HUNTER – Moved that this Board recommend this Article at the Special Town Meeting pending Planning Board recommendation. Motion withdrawn.

Peter was concerned about the carriage house; he is seeking greater strength in the agreement and wanted to nail the use down. Trey wanted to attend the Planning Board hearing on this and to deliver the agreement. Don will get a side letter about the use of the Carriage House from Mr. Bertolami.

COMMUNITY PRESERVATION COMMITTEE APPOINTMENTS – Walter Foster , Susan Mitchell-Hardt, Catherine Coleman, Mimi Herrington are up for reappointment. DORE' HUNTER – Moved to accept the reappointments as set forth in the memo of October 6th. PETER ASHTON- Second. UNANIMOUS VOTE

HISTORIC DISTRICT APPOINTMENT – BRIAN BENDIG, ALTERNATE 6/30/06 –
DORE' HUNTER - Moved to appoint Brian Bendig as Alternate, and that when elevated to Regular Member a full Board of Selectmen Interview will beheld. TREY SHUPERT – Second. UNANIMOUS

BALL FIELD ADVERTISING SIGNS ROUTE 2A AND 27 – Walter outlined the report from Nancy McShea. Peter has worked with the little leagues and feels it is a reasonable request. Dore' asked that they have a two year policy and it was noted that they wanted to remain at three years. PETER ASHTON - Moved to approve three year ROBERT JOHNSON – Seconded – UNANIMOUS VOTE

MAISON MAISON, #5 STRAWBERRY HILL ROAD – REQUEST TO STAY OPEN UNTIL MIDNIGHT TO SERVE LIQUOR. DORE' HUNTER - Moved to approve. TREY SHUPERT – Second – UNANIMOUS VOTE.

REQUEST FOR REDUCED FEE - Dore' said we do not have a policy on discounting the Dump fee. He thinks we need to develop a procedure and verification of need. Dore' asked that the Manager bring forward a procedure or not. Trey said we need to have a policy that is fairly liberal. Staff will follow up with home owner to let them know we are looking in to his request

OTHER BUSINESS

Trey up dated the Board on the effort regarding Danny's Place. They have a feasibility study in progress. They will be asking the Moderator for time at the Special Town Meeting to address issues of the feasibility study. It was noted that they submit a draft to the Town Manager for review.

Dore' spoke about attending the MMA meeting.

Bob Johnson spoke about the letter from Boxboro on combined municipal services. They are having a meeting on October 23rd. Don will draft a response.

Walter spoke about JTAC to look at RFP to hire consultant for \$25,000 to look at synergies with school and town. They have voted to hold off sending the RFP out.

CONSENT AGENDA

DORE' HUNTER – Moved to approve. PETER ASHTON – Second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

SPECIAL TOWN MEETING – The Board discussed the location of the room for Pre-Town Meeting use.

EXECUTIVE SESSION

Christine Joyce
Christine Joyce

Recording Clerk

Dore' Hunter
Clerk

1 December 2003
Date

October 3, 2003

TO: Board of Selectmen, Sewer Commissioners
FROM: Walter Foster, Chairman
SUBJECT: Selectmen and Sewer Commissioners Report

OCTOBER 6, 2003
MEETING BEGINS AT 7:00 P.M.

I. CITIZEN'S CONCERNS

II. SEWER COMMISSIONERS' BUSINESS

No Business

III. PUBLIC HEARINGS & APPOINTMENTS

1. 7:01 **COMMONWEALTH BALLET COMPANY** – Enclosed please find materials in the subject regard.
2. 7:05 **KEYSPAN** – Enclosed please find a request and staff comment regarding a request from Keyspan for installation of a gas line to an existing home at 83 Liberty Street, for Board consideration.
3. 7:08 **KEYSPAN** – Enclosed please find a request and staff comment regarding a petition from Keyspan for the installation of a gas line on Squirrel Hill Road, for Board consideration.
4. 7:10 **PAUL'S DINER II, 166 GREAT ROAD** – Enclosed please find an application for a Common Victualler's License and staff comment, for Board consideration.
5. 7:15 **LIQUOR LICENSE TRANSFER HEARING, LAST NATIONAL WINE** – Enclosed please find materials regarding the transfer of a Full Liquor Package Store license located at 18 Powder Mill Road with staff comments Board consideration.
6. 7:20 **O'NATURALS, 149 GREAT ROAD** – Enclosed please find materials regarding the application of O'Naturals for a Full Liquor license as a Common Victualler with staff comments, for Board consideration.
7. 7:35 **DAVIS ROAD ACCEPTANCE** – Enclosed please find materials in the subject regard.
8. 8:00 **CONSERVATION OVERSIGHT MEETING**
9. 8:30 **RECREATION OVERSIGHT MEETING**

IV. SELECTMEN'S BUSINESS

10. **SPECIAL TOWN MEETING** – Enclosed please find materials in the subject regard for Board consideration.

11. COMMUNITY PRESERVATION COMMITTEE APPOINTMENTS – Enclosed please find a memo regarding outstanding appointments for Board consideration.

12. HISTORIC DISTRICT COMMISSION APPOINTMENT – Enclosed please find application and VCC recommendation regarding the appointment of Mr. Brian Bendig as an Alternate member of HDC with a term to expire 6/30/06.

13. BALL FIELD ADVERTISING SIGNS 2A and 27 FIELD – Enclosed please find a memo in the subject regard from the Recreation Director for Board consideration.

14. MAISON MAISON, #5 STRAWBERRY HILL ROAD – Enclosed please find a request for permission to remain open until midnight, along with comments from the Police Chief, for Board consideration.

15. REQUEST FOR REDUCED FEE – Enclosed please find a confidential request for a reduced Transfer Station Fee for Board consideration.

16. OTHER BUSINESS

V CONSENT AGENDA

17. ELIZABETH WHITE FUND, TRUSTEE VACANCY – Enclosed please find materials in the subject regard for Board consideration.

18. ACCEPT DONATION – Enclosed please find a memo from the Police Chief regarding the acceptance of an Electric Vehicle for Board consideration.

19. COUNCIL ON AGING APPOINTMENT – Enclosed please find Cathleen Summers' Volunteer Application and VCC recommendation for appointment to the COA, with a term to expire 6/30/04

20. DIRECTIONAL SIGN REQUEST – Enclosed please find a request for approval of a directional sign for the South Acton Congregational Church, for Board consideration.

VI. TOWN MANAGER'S REPORT

VII 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.

October 20 SPECIAL TOWN MEETING

Nov. 3 HDC Oversight, Historical Commission Oversight, Site Plan Wetherbee Plaza extension

Nov. 17

Dec. 1 &15

GOALS 2003-2004

1. Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Walter/Peter)
3. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision (Trey/Peter)
4. Towne Building Reuse (Bob)
5. ALG process be used for purpose of Budget Planning for FY04 Walter/Trey)

6. Process Planning for "Life after NESWC" (Peter) Implement Chairman Round Table – (Peter)
7. Joint IT process-organizational change (Walter/Dore/)
8. Middlesex Pension Alternatives (Walter)

GOALS carried forward

9. Public Safety Facility (Dore'/Trey)