

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**March 9, 2009
Acton Town Hall, Francis Faulkner Hearing Room
7:00 P.M.**

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee, Peter Berry, Terra Friedrichs, Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Tom Michleman – Magnolia Drive. Spoke about the Stimulation Plan Draft as regards BFRT.

Tom of the OLAC – Thanked the Board for declaring their support of Earth Hour.

CHAIRPERSON'S REPORT

Lauren spoke about Leo Hayes our firefighter that had lost his life in an auto accident. The Board sends it condolences to his family.

Lauren wants to remind candidates. March 31, 2009 is Town Election Day. Candidate's Night is scheduled for March 16, and sponsored by the League of Woman Voters.

Lauren wanted to remind candidates that they are allowed one sign on private property and no signs in the town or State's Right of way without permission.

Lauren announced the upcoming walking tour of Acton Historic Districts sponsored by the HDC.

Historical Commission – a spot light on Acton Architecture program at the Library on April 22.

Charlie Kadlec stated that they needed to check the constitution and noted the town has very little authority over the placement of candidate's signs.

OPERATIONAL MINUTE

Steve spoke about the retirement of the Boxboro Police Chief in the near future, and the possible opportunity for regionalization to combine the services.

Anderson and Krieger, our Counsel has been voted the law firm of the year.

SELECTMEN'S REPORTS

Terra apologized for her derogatory references to certain groups of citizens at the last selectmen's meeting.

Terra noted that Cable Advisory Committee needs information from Steve for cable license negotiations. The Design Review Board has gotten the process for Site Plan policy and are reviewing. COD asked about the raised dots and Steve said the Bruce will look at this. It is

expected that the West Acton raised dots can be accomplished this year. EDC - New work groups have been formed. Farmers Market is being discussed for Pearl Street. Green Advisory Board will meet on March 11th for first meeting and will elect a chair and a time to meet regularly. HC Demo Delay articles and noted the HDC dropped their Town Meeting Articles. Senior Tax Relief they spoke about the process. VCC committee every thing is going smoothly.

Peter finalized the Health Insurance rates with the trust: good result and frees up \$120,000 for town use.

South Acton Parking Deck Structure. Peter noted the letter from State and wants to talk about this with them. CPA finalized the articles for Town Meeting

Paulina spoke about the Senior Center Expansion Committee's last meeting. COA met today and is working on plans for improvements to existing Center.

Side walk committee is continuing to work on the issues in the warrant

Andy reported on WRAC and the meeting held to discuss their future. He is pleased that so many want to take part and stay on the committee. Andy will take a poll to look at the future of the committee.

PUBLIC HEARINGS & APPOINTMENTS

SITE PLAN SPECIAL PERMIT, 01/23/09-417, 107-115 GREAT ROAD, WETHERBEE PLAZA EXTENSION

Leo Bertolami was at the hearing to represent himself in the absence of his engineer who he indicated was out of town. He outlined the site and location of the various buildings. He feels that Staff has asked questions he may be able answer. Terra remarked that the list of comments from Staff is very long. They will start with the pergola issue. The applicant is leaning toward the new zoning. Instead of moving the structure the applicant wants to install a pergola so it will meet the 14 foot setback from the street.

Pergola issue – Andy asked about in this particular case language, the building was built to zoning, and how do you get there so we don't have to deny the project. The Building was not built according to old zoning and/or the new zoning the front set back requirements are under the new zoning.

They could try to get a variance with Board of Appeals, putting both lots together, removing the lot line between One and two.

Paulina asked about the retention basin. They can put a structure in front. She was concerned about the lot line and understands why he doesn't want to combine the lot.

Peter Berry said that he did not think the BOA would grant a waiver for a building already built.

Terra suggested that we extend the eviction notice to April and reschedule the meeting.
TERRA FRIEDRICHS - Moved to extend the eviction notice to May 31, 2009 for Mr. Bertolami's tenant. ANDREW MAGEE- second. UNANIMOUS VOTE

ANDREW MAGEE - Move to continue to April 27, at 7:40. LAUREN ROSENZWEIG – second.
UNANIMOUS VOTE

The Board will need to determine their wishes with regard to allow stack parking or not as well as find out about the State's curb cut rationale.

JIM SNYDER-GRANT – GREEN ACTON

Debra Simes and Jim Snyder-Grant presented Green Acton recommendations and asked that the Board consider several requests such as the letter they have drafted to the President and several other public officials. They ask that the Board sign these letters that have been prepared.

Andy said he would support the letter.

Peter said he understands the seriousness of Climate Changes and is in favor to change and stop it before it happens. He did not feel comfortable signing this letter because of the technical issues.

Lauren is comfortable signing. Paulina is also comfortable signing.

Terra agreed and researched it and could sign this letter.

Clint Seward – Spoke about his job and how interesting it is. He urged the Board Sign the letter
TERRA FRIEDRICHS – Moved to sign the prepared letters. ANDREW MAGEE – second.
UNANIMOUS VOTE

WARRANT DISCUSSION

Ambulance revolving fund	Defer
Acton Public Schools Budget	Defer
Acton Boxboro Regional School Budget	Defer
Minuteman School District Assess	Defer
Town Stabilization Fund	Not Recommended
Transfer Funds to Reduce the Tax Rate	Not Recommended
Finance Committee Budget	Not Recommended
Resolution to Adopt a Reserve Policy	Not Recommended
Resolution to present debt and Interest Costs	Not Recommended
Resolution to Present new capital Projects to Town M.	Not Recommended
Amend Town Bylaws-Non Criminal Disposition	Recommended
Redemption of Parcels in Tax Title Foreclosure	Recommended
Amend Town Bylaws, Redemption of Parcels in tax Title	Recommended
CPA Articles	Recommended
Amend Bylaws, Chapter S	Recommended
School Street Playing Fields	Recommended
School Street Playing Field Mitigation	Recommended
Amend Bylaws Demolition of Historically or Architecturally Significant	Recommended
Quorum for the Commission on Disability	Recommended

Lauren asked if any selectmen had articles they wanted. Andy, School Street, Peter, CPA and Terra, Sale on Foreclosed properties

SELECTMEN'S BUSINESS

ALG UPDATE

Lauren updated the Board on the ALG Meeting this morning. They have a 3 year plan subject to volatility and change. Assumption we will be that State Aid stays flat and 2 1/2 % that they balance out to FY11 and FY12 to hold to 3% growth. ANDREW MAGEE – Moved to have the board support this plan at ALG. PAULINA KNIBBE – second. 4-1 Terra Nay, motion passes.

STATE REVOLVING FUND, SEWER FINANCING LETTER

Steve said this is to assure the State that we will have an article and will call a special town meeting to get this done. Andy noted it was Spencer Flint and not West Acton. It was noted that they will need to do community outreach for West Acton. They can apply by August to the SRF. ANDREW MAGEE – Moved to approve. PAULINA KNIBBE – second UNANIMOUS VOTE

DISCUSSION OF GOVERNOR'S MUNICIPAL PARTNERSHIP ACT

The Board reviewed the Governor's Municipal Partnership items.
The board supported all except for:

REVISED PROVISIONS FOR TRANSFER OF MUNICIPAL RETIREMENT
SYSTEMS INTO PRIT
PRO-RATING OF INSURANCE FOR PART-TIME EMPLOYEES
PROVISION OF GIC COMPARABLE HEALTH INSURANCE
RETIREMENT SYSTEM FUNDING RELIEF
AMORTIZATION OF FY09 REVENUE DEFICIT

EAGLE SCOUT COURT OF HONOR, GREGORY MARGOLIS

EAGLE SCOUT COURT OF HONOR, ANDREW REED PETERMAN

APPOINTMENT OF REGISTRAR OF VOTERS

Lauren spoke about Clint Seward's appointment and it is permitted unless he is elected as Selectmen, then he will have to resign. ANDREW MAGEE – Moved to appoint Mr. Seward as Registrar of Voters. TERRA FRIEDRICHS – second. UNANIMOUS VOTE

BUDGET DISCUSSION

DISCUSSION OF ECONOMIC STIMULUS PRIORITIES

OTHER BUSINESS

CONSENT

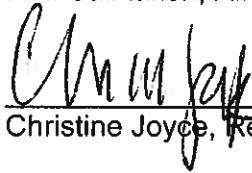
Extra Consent Representative Jen Benson has given her recent raise to her communities, including \$400.00 to the Acton Senior Center.

ANDREW MAGEE – Moved to accept the Consent Calendar with the edition of Jen Benson's gift. . LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

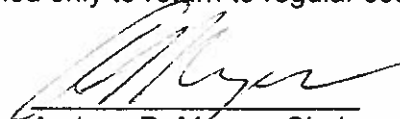
EXECUTIVE SESSION

ANDREW MAGEE - Move to enter in to executive session to discuss litigation and real estate negotiations

Roll Call taken, All Ayes, Regular Meeting adjourned only to return to regular session to adjourn.



Christine Joyce, Recording Secty



Andrew D. Magee, Clerk
Date: 13 April 2009