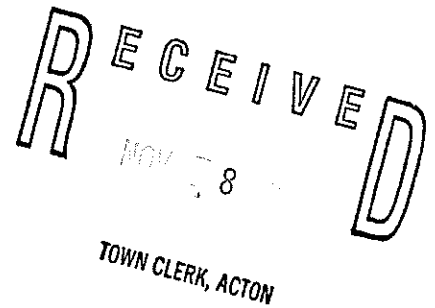


**BOARD OF SELECTMEN & SEWER COMMISSIONERS'**  
**MEETING AGENDA**

*Francis Faulkner Hearing Room*  
*September 10, 2012*  
*7:00 PM*



**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

1. **7:05 CHAIRMAN'S UPDATE/OPERATIONAL MINUTE**  
The Chair will briefly update the Board -The Town Manager will provide a brief report
2. **7:10 PRELIMINARY PRESENTATION, 6 POST OFFICE SQ., FRIENDLY 40B DEVELOPMENT**  
Enclosed please find materials in the subject regard
3. **7:25 PRELIMINARY PRESENTATION, 400 MASS AVE, PROPOSED SITE PLAN, CVS**  
Enclosed please find materials in the subject regard
4. **7:50 CLASS II NON-DISPLAY CAR DEALER'S LICENSE, ROBERT N. OLIVERIO, 130 PARKER STREET**  
Enclosed please find materials in the subject regard
5. **8:00 KEVIN BATT – UPDATE ON THE SOLAR PROJECT**

**III. SELECTMEN'S BUSINESS**

6. **MIRACLE FIELD LICENSE AGREEMENT**  
Enclosed please find materials in the subject regard
7. **SOLARIZE ACTON COMMUNITY TEAM – REQUEST FOR SIGNS ON THE COMMON, PARKING LOT LIGHT POLES AT THE TOWN HALL PARKING LOT AND THE SOUTH ACTON TRAIN STATION**  
Enclosed please find materials in the subject regard
8. **GREEN ADVISORY BOARD, REQUEST FOR TERMINATION OF ASSOCIATE MEMBER, NOT ATTENDING GAB MEETINGS**  
Enclosed please find materials in the subject regard

**9. REGULATORY AGREEMENT FOR AFFORDABLE UNITS, AT THE MEADOWS AT ACTON, LOCATED AT 263 GREAT ROAD**

Enclosed please find materials in the subject regard

**10. REGULATORY AGREEMENT FOR AFFORDABLE UNITS AT THE RESIDENCES AT QUAIL RIDGE**

Enclosed please find materials in the subject regard

**11. UPDATE ON ALG**

Enclosed please find materials in the subject regard

**12. SELECTMEN'S REPORTS**

**IV. CONSENT AGENDA**

**13. ACCEPT MINUTES, JUNE 18 AND AUGUST 20, 2012, BOARD OF SELECTMEN, REGULAR AND EXECUTIVE SESSIONS**

Enclosed please find materials in the subject regard

**14. UNITED NATIONS DAY PROCLAMATION 2012**

Enclosed please find materials in the subject regard

**15. COMMITTEE APPOINTMENT, ANN CHANG, MORRISON FARM COMMITTEE**

Enclosed please find materials in the subject regard

**16. COMMITTEE APPOINTMENT, DIANA BRANCH, VOLUNTEER COORDINATING COMMITTEE**

Enclosed please find materials in the subject regard

**17. ACCEPT GIFT, SELECTMEN**

Enclosed please find a gift of \$300,000.00 from Mill Creek/Longview Meadows LLC-2 for the final payment, Concord MEWS Mitigation Project

**18. ACCEPT GIFT, PLANNING DEPARTMENT**

Enclosed please find a gift of \$10,000.00 from the Pine Ridge Farm Lane developer, in lieu of Sidewalk Fund contribution

**19. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$738.95 from various supporters to be used for the Goward Field Playground Project.

**20. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**

Enclosed please find materials in the subject regard

**21. MEMORIAL LIBRARY LONG RANGE PLAN – REQUEST FOR APPROVAL TO SEND OUT THE COMMUNITY SURVEY IN THE NEXT MUNICIPAL QUARTERLY**

Enclosed please find materials in the subject regard

**V. EXECUTIVE SESSION**

At the end of the meeting, there will be a need for an Executive Session for the purpose of Strategy regarding Collective Bargaining, AFSMC and the Police Patrol Association

**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.

**SEPTEMBER 24                      OCTOBER 15              OCTOBER 29              NOV 5**

Continued Site Plan Special  
Permit, #7/6/20-433, 40 Sudbury  
Road – aka 65 Powder Mill  
Road, Old Mill Development

Nursing Service Update

**PENDING MINUTES**

March 12 -JA

May 21

June 25

July 9 & 23, 25

**PENDING COMMITTEE APPOINTMENTS**

Lawrence Kenah – EDC

Allan Gulliver – EDC

Peter Grover – Morrison Farm Committee

Gary Yu – Board of Assessors




Martha Hargreaves – Sent to VCC – 2020 Phase III

Walter Foster – sent to VCC – Morrison Farm Committee




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## Agenda

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<input type="checkbox"/>	Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>		<b>010 Agenda, Board of Selectmen, September 10, 2012</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	122 KB	    
<input type="checkbox"/>		<b>020 (2) Preliminary Presentation, 6 Post Office Sq., 40B</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	1 MB	    
<input type="checkbox"/>		<b>030 (3) Preliminary Presentation, Site Plan, 400 Mass Ave., CVS</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	270 KB	    
<input type="checkbox"/>		<b>040 (4) Class II Non-Display Dealers License, Robert Oliverio, 30 Parker Street</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	858 KB	    
<input type="checkbox"/>		<b>050 (5) Update Materials, Solar Project</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	2 MB	    
<input type="checkbox"/>		<b>060 (5) Mass Dept. of Environmental Protection, Post Closure Permit/Application, Solar Project</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	2 MB	    
<input type="checkbox"/>		<b>070 (6) Miracle Field License Agreement</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	211 KB	    
<input type="checkbox"/>		<b>071 (6) Miracle Field Documents</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	1 MB	    
<input type="checkbox"/>		<b>080 (7) Solarize Acton Community Team, Request for signs</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	250 KB	    
<input type="checkbox"/>		<b>090 (8) Green Advisory Committee - Removal for non-attendance</b>	admin	09/07/12	110 KB	    

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	<b>110 (9) Regulatory Agreement, Meadows At Acton, 263 Great Road</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	1 MB				
	<b>120 (10) Regulatory Agreement, Quail Ridge</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	3 MB				
	<b>130 (11) Update on ALG</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	102 KB				
	<b><u>140 (13) Accept Minutes, Board of Selectmen</u></b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	1 MB				
	<b>150 (14) United Nations Proclamation</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	61 KB				
	<b>160 (15) Committee Appointment, Morrison Farm Reuse, Ann Chang</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	112 KB				
	<b>170 (16) Committee Appointment, Volunteer Coordinating Committee, Diane Branch</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	119 KB				
	<b>180 (17) Accept Gift, Board of Selectmen</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	36 KB				
	<b>190 (18) Accept Gift, Planning</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	38 KB				
	<b>200 (19) Accept Gift, Recreation</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	57 KB				
	<b>210 (20) Disposal of Obsolete Materials, Memorial Library</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	39 KB				
	<b><u>220 (21) Request for Community Survey, Memorial Library in the Municipal Quarterly Mailed out with Tax Bills</u></b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	09/07/12	178 KB				

Final

**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING  
March 12, 2012**

**Executive Session 6:30 - 7:00 P.M. To Discuss Union Negotiations**

**Acton Town Hall  
Francis Faulkner Hearing Room  
7:00 P.M.**

Present: Mr. Gowing, Ms. Harting-Barrat, Ms. Adachi, Mr. Clough, Mr. Sonner and Town Manager Steven Ledoux, Recording Secretary Christine Joyce. The public portion of the meeting was televised.

Mr. Clough - Move to go into Executive Session to discuss union negotiations. Ms. Adachi – Second. Clerk roll call: Ayes, 5, Nays, 0. UNANIMOUS VOTE.

**CITIZENS' CONCERNS**

Paulina Knibbe had a proposal for a possible Windsor Building use, now that the project is off the list of proposals for Community Preservation Act funding: storage of sets and costumes for the Open Door Theatre. She is a member of the Board of Open Door. This year's production will be "Fiddler," opening 3/23 at the Dragonfly Theatre. The productions are inclusive, with casts often numbering 100+, and including children with disabilities. Until a few years ago, the organization used a Hartz warehouse to store sets and costumes; Open Door currently is renting space on the 2nd floor of a building in Littleton and has no access to the loading dock. The organization would like to use the Windsor Building for storage, dividing the 1<sup>st</sup> floor and leaving other half for use by the Farmers' Market and Citizens Library

Mr. Gowing noted that Windsor has no loading dock. Ms. Knibbe said it is ground-floor so the lack of a dock is not an issue. Ms. Harting-Barrat asked whether Open Door had property insurance: no. Mr. Gowing said if Open Door's property catches fire and burns down Town property, it's the Town's problem. Ms. Knibbe will check. Mr. Clough asked when Open Door needs the storage space: two months before the sets go up, which this year is April, next year will be January and usually is in the spring. Mr. Sonner said the Town needed to make sure that other groups have an opportunity to use the building. Mr. Ledoux said the Town probably will have to do a request for proposals.

**CHAIRMAN'S UPDATE & OPERATIONAL MINUTE**

Mr. Gowing reported that there was a good Acton showing at the Fitchburg hearing on the proposed MBTA rate increases and service cuts. Legislators opposed raising the gas tax. Three Board members attended. Several Board members did Meals on Wheels last week. The All-Boards/Committees Chairmen meeting was at the ActonTV studio last week. The Town held the first ever STAR award ceremony, recognizing employees with 30+ years of service; their collective service amounts to 500+ years.

Final

Mr. Ledoux reported on the recent settlement with Dispatch for FY12 and FY13-15. 7% over 4 years, 2 articles on the Town Meeting warrant. All unions have signed the Memorandum of Understanding with respect to the health insurance plan design changes, and the Selectmen and School Committees have signed, as well.

## **PUBLIC HEARINGS & APPOINTMENTS**

### **CLASS 1 CAR DEALERS LICENSE, ACTON LINCOLN MERCURY, INC. D/B/A ACTION CHRYSLER DODGE JEEP AND RAM, 196 GREAT ROAD**

No representative is present. The business is becoming a Chrysler dealership and is just requesting a name change, with no other changes. Ms. Harting-Barrat – Move to approve, Mr. Sonner- Second. All Ayes, UNANIMOUS VOTE.

### **SITE PLAN #7/6/11-433, 40 SUDBURY ROAD (CONTINUED)**

Ms. Harting-Barrat - Move to continue the appointment to 4/25/2012, 7:25 p.m. Ms. Adachi - Second. All Ayes, UNANIMOUS VOTE.

## **SENIOR CENTER BUILDING COMMITTEE REPORT**

Paulina Knibbe presented slides on the results of the Committee's evaluation of the proposed new senior center, and alternatives. The committee's data includes information from two public forums, the work of the Acton 2020 Committee, and other sources. There are there three options:

- Option A: the current senior center project, with space available for general community use when seniors were not using it (Slide 3). The location at NARA could address perennial issues at NARA, providing additional parking for sports activities, bathrooms accessible from the outside of the building even when the center itself was closed, and food. Cost: 140K design money w/ plan for 7.7M bonding (override subject to Town Meeting approval). Annual operating budget: 284K/year, including 130K for custodial services.
- Option B: build new senior center with plan to add community facilities later (Slide 5). Greater cost, additional 3M on top of 7.7M.
- Option C: major difference would be inclusion of swimming pools. One issue is that space at NARA would be insufficient so would need different location. 2 pools, 1 fixed-lane, 1 smaller for therapeutic uses and small kids. Rough cost of pool, based on updated cost of Danny's Place would be minimum 6.3M on low end, 12M on high end based on Beede Center, Concord.

Ms. Harting-Barrat said the pool option would require another site.

Ms. Adachi said it would be nice to have a structure at NARA to allow year-round use, but the pool proposal would be out of reach.

Final

Mr. Sonner noted that the current square footage was 5,000, and would increase to 16,880, agreed that the pool was unrealistic, as was the fitness center proposal, given the availability of other options for residents.

Mr. Clough ask why the recommendation of Option B? Ms. Knibbe said the senior center needed more space, but it would be short-sighted to not anticipate the possibility of expansion.

Sharon Mercurio said the current senior center could serve as a community center temporarily while the new center was being built.

Mr. Clough asked about the term for bonding. Mr. Ledoux said 20 years. Ms. Knibbe said it would be a much lower than for school and other capital projects.

Mr. Gowing said the total footage of the senior center and gym would not be 25,000 ft2, and that there would be efficiencies. The standard gym is 9,000 ft2.

Dean Charter, voted for Option B. The seniors have been waiting for a while, and the project will take 10 years to do. He initially advocated Option A but was persuaded that Option B was better, and the vote was 7-1 for Option B. The cost estimates are based on a 2009 plan for a 16,000 ft2 building. As the design timeline moves out, costs get very conjectural. It is important to get the Option A part built and then let the plan percolate for the proposed build out.

Dick Calandrella asked whether, given the available industrial space, the committee had explored existing space. Ms. Knibbe said the committee had in the original study, and the cost of renovating a particular building would be similar to the cost of building new. Costs might be lower now, but the committee's charge was to take the new-construction proposal forward so it did. Mr. Gowing added that many building owners were not interested in having the senior center move in. Mr. Calandrella suggested that the committee look into the option now, given the change in the economy. Ms. Mercurio said the cost would be similar with renovation, plus the Town would not own the building. Mr. Calandrella noted that ActonTV had just built in an existing space for 700K. Mr. Gowing said that if ActonTV moves, it leaves behind the 700K.

Ms. Harting-Barrat - Move to accept the recommended Option B, Mr. Clough - Second. Mr. Sonner expressed concern that moving forward with funding for the 140K design would commit the Town to doing a 7M override. Mr. Gowing noted that that would be an issue for Town Meeting, not the Selectmen; Town Meeting could vote it down. Mr. Clough asked whether, if Town Meeting approved the proposal, the committee would come back to the Selectmen to be sure of what to design, given possibility of leasing space elsewhere. Ms. Knibbe said the Selectmen would have to approve any spending. All Ayes, UNANIMOUS VOTE.

## **PRESENTATION, LOWER FIELDS PROJECT AT ABRHS**

Bill Mullen and Dave Wilson, Vice Chairman and Chairman of Friends of Lower Fields, presented a slideshow on the project.

The project would be income-generating. 127 parking spots to accommodate users of the skate park and the fields. Fields will be lined for soccer, field hockey, football. Current use 460 hours, boys and girls sports and community education. With new fields, there will be a broader spectrum of users. 5,096 hours, with up to 1800 hours of unrented space. Year-round use.



Final

It has been a 3M project since 8/2011: 225K raised by FOLF; ABYS loan of 1M (7-10 years @ 5%); waiting on a second loan; AB Regional startup fund of 275K; AB Regional bond of 1.5M (15 years).

Revenue sources – anticipated 350K from leases, 3 tiers of tenants. Day and night use (with lights). Youth programs pay 15/registrant = 54,000/year.

Increased costs: 52,000 for new fields; increase 27,000 net to schools.

Loan/bond costs will decline after loan paid off and just bond costs remain.

Will try to offset school bond costs. Community Ed will contribute 25,000/year. Once FOLF has 100K in reserves, it will donate 25,000/year toward bond costs. So annual costs will be 99,000 range—0.25% of operating

Cash flow – years 1-7, negative 74K-99K/year for schools. Years 8-15, positive 90K-140K; 15+ yrs drops off to 0.

Why project makes sense: quality space; leverage volunteer capital. Revenues from outside groups, other users to offset loan cost; once paid off, benefit to schools; smart-growth—centrally located.

Funding – commitment from bank, School Committee will be voting 3/22, leases, anchors to be done in the next weeks, and need 2/3 vote of Town Meeting. If approved, work could start late May, early June. Could be done in 2 months.

Ms. Adachi asked when the 1800 hrs released, what times? Students all day during week, evenings, all day Saturday. 96 hrs community time per week.

Ms. Harting-Barrat asked about a traffic study, protection from sun, possible competitors. Mr. Wilson said there had been some study of traffic issues; trees would provide shading, as would tents; and possible competition might be from Westford, which just complete a new high school field, and two other fields that might come on line. The advantage of Acton is that it is centrally located for some of the leasing teams. It is not clear that Westford will rent out at all. Only Medford, Holliston have pursued this model. Wellesley only rents to Wellesley. FOLF knows its prices are competitive. Ms. Harting-Barrat asked how the new fields might affect NARA rental potential? Mr. Wilson said ABYS spends 35K to maintain the fields, which are wrecked by rugby teams. Teams are more likely to want to use the new fields. Mr. Mullin said the committee believes that the additional parking will help w/traffic, which currently involves the use of the K-Mart parking lot.

Mr. Sonner asked about the age of Leary Field; Mr. Wilson said Leary opened 8/5/2005. Mr. Wilson also confirmed that the proposed anchor tenant lease term was 5 years. Mr. Clough asked about the anticipated turf life. Mr. Wilson confirmed that it was about 15 years noting that Boston University replaced Nickerson Field after 15 years. Field turf still is the top product, but proponents will look at other products. 168K ft<sup>2</sup>, 9.50/ft<sup>2</sup> construction, but replacement cost is only 4-4.50 because just replacing carpet. The schools will cover the replacement cost. Mr. Gowing noted that the fields would be in continuous use, and asked about a maintenance fund. Mr. Wilson said a memorandum of understanding between ABYS and the School District would cover maintenance. Once the loan has been paid off, Community Education will take over.

Final

## **SELECTMEN'S BUSINESS**

### **CONFIDENTIAL REQUEST FOR FUNDS FROM THE VARNUM TUTTLE TRUST FUNDS**

Mr. Clough – Move to approve, Mr. Sonner – Second. All Ayes, UNANIMOUS VOTE.

### **CONTINUATION OF TOWN MEETING ARTICLE POSITIONS**

#### **Part 1:**

Mr. Ledoux introduced a presentation by Town department directors on permitting issues and the related capital warrant article. The Finance Committee heard a similar presentation two weeks ago. Among the Board's top priorities from its annual goal-setting in the past three years have been electronic and operational improvements, digitizing Town records and improving the permitting process. Mr. Ledoux has been working to create a one-stop permitting location, with cross-trained staff for better service to customers. Presenters will include Frank Ramsbottom, Doug Halley, Roland Bartl, Corey York, Tom Tidman, Marianne Fleckner and MaryJane Kenney, Mark Hald, Dean Charter.

Mr. Ramsbottom, Building Commissioner, reviewed the history of the proposal to renovate Town Hall. Town staff looked at four alternative buildings.

Mr. York, Town Engineer, reviewed the potential solutions: digitize paper records, centralize filing, reclaim usable floor space, have everything available online; unify land-use departments in a single space with a conference room that would be accessible at night; cross-training staff. There were opportunities to provide excellent customer service; reclaim space, eliminate duplication of records; improve automation—GIS, permit-tracking software; removed the "stovepipe" approach to operation.

Mr. Bartl, Planning Director, provided an overview of Town Hall organization. The 1950s saw the first oversight of building in the Town, with issuance of building permits; the population then was 3,500. Forty years later, with the population 5-6 times larger, the paperwork was overwhelming. Microfilming started. In the past decade, the Town has instituted other technical improvements, and there has been continued improvement in information flow. At the core of the reorganization would be the filing system, centralized, with minimal duplication.

Mr. Tidman, Natural Resources Director, envisions one counter to serve the public. At present, people seeking information go all over to get help. The new arrangement will provide one place, along with new meeting space near the new counter. A separate public entrance would provide access to the meeting room at night, and the Town offices could be closed off.

Mr. Bartl review the proposed phases for development and implementation. For digitizing, moving into swing space, renovations and equipping the new space, the total budget would be \$602,199 (the 1<sup>st</sup> \$200K for digitizing coming out of operating, and \$400K to be bonded). The result would be a positive customer service experience—simplified, with cross-trained employees, electronic self-service. The Town population currently is 22,000, with about 8,000 dwellings; the population is expected to grow to 25,000 and the dwellings to 9,500. As the Town approaches build-out, staff members expect to deal with citizens more and developers less.

Final

Mr. Ledoux noted some previously proposals for bonding were not eligible so the numbers changed in the warrant article, Article 14.

In response to queries from Mr. Sonner, Mr. Bartl said that he believed the anticipated increased staff efficiency would enable the Town to do more with the same staff; the last renovation of Town Hall was in 1980; the one-stop shopping process would start with the move into the temporary swing space; square footage would be about the same or slightly greater; and aside from cost, there was no downside to the proposal, which had been supported since the 1990s.

In response to queries from Mr. Clough, Mr. Bartl said his understanding is that scanning will be easier under the new system, and scanned documents will be searchable; and Mr. Ledoux said that Information Technology Director Mark Hald still was investigating permitting software.

Ms. Harting-Barrat asked whether it was necessary to have all staff members in the same building. Mr. Bartl said from a staff perspective, it was easlier to have everyone in the same place.

Mr. Gowing asked when retaining electronic documents is acceptable in lieu of retaining paper records. Mr. Ledoux said the Town must retain payroll records forever. Mr. Bartl said microfilm is a recognized alternative to paper.

## Part 2:

Mr. Ledoux reviewed adjustments to the FY13 budget since the Selectmen voted in January, and explained the impact of warrant article adjustments. The patrol union arbitration decision has been postponed further. The Town learned that it cannot do the proposed \$45,000 energy enterprise fund so there will be an additional \$40,000 to the Green Advisory Board instead. The budget will involve the use of 1.7M in free cash.

Nursing Enterprise Fund - one of the articles is for a budget transfer out of FY12, including for the Nursing Fund, whose funding probably will be at \$100K.

Spreadsheet --

Article 2 re nursing van enterprise fund -- 50K subsidy, 45, 586 fees - OK

3 -- septage fund --from receipts, OK

4 -- sewer enterprise -- from receipts -- OK; 271K from receipts, balance subsidy -- OK

5 -- ambulance -- includes cost of fire - OK

6 -- transfer station -- from receipts

7 -- self-funding programs (revolving funds)

9 --

10 -- budget transfer to Nursing budget for FY12 -- 100K --Mr. Ledoux said the specific number will be added at Town Meeting.

11 -- Nursing Enterprise budget -- \$714,076 budget, with \$200K coming from general funds, balance from enterprise fund. Ms. Harting-Barrat -- Move to recommend, Mr. Gowing -- Second. Mr. Clough said that if the private sector can do something, the Town should not; the Town provides police, fire and the like. If there are better-positioned alternatives to the Nursing Service, the Town should consider them. Relying on volunteers to provide services that the Town eventually will have to pay for is not sustainable. The Nursing Service needs to be entrepreneurial, with the public health nurse referring people to appropriate services. There is

Board of Selectmen Minutes

March 12, 2012

Final

no evidence that there will be cost-cutting, though the consultant's report says the Service has to do that. The Service is not sustainable.

Ms. Harting-Barrat said the Nursing Service has not looked yet at partnering with others. The Nursing Service is using a marketing expert who believes that the Service can turn itself around. The Advocare consultant came up with one report, but maybe others would have come up with other conclusions.

Mr. Sonner does not think the Service will survive in the long term but is willing to provide funding for another year to see if it can turn around. He is concerned about not being able to see the numbers and do a business-type analysis. Emerson has an advantage and always will cherry-pick the best patients, and leave the money-losing patients for the Town. If the Service increases marketing but is losing money on each visit, it will continue to lose money. He is not willing to put \$200,000 into next year.

Ms. Adachi was concerned that the Nursing Service was not sustainable. There are other services of equal quality. She would like to have the consultant's study completed. She considers the Service to be on probation and in the coming year, the Service needs to be not simply trying to turn around but preparing for the possibility of shutting down, with sufficient time allowed to transition out.

Mr. Gowing had seen improvement in the past year and was not prepared to say the Service should be shut down. Ms. Harting-Barrat described the efforts already underway, with the new marketing consultant and outreach to competing services. Mr. Gowing noted the goodwill value of the Nursing Service for acquisition purposes.

During the Board discussion, a number of members were reluctant to recommend funding out of concern that nothing would change in the coming year. Mr. Clough expressed concern about what the volunteer marketing plan would consist of and noted that the Nursing Fund had had a large number in it for a long time that suddenly went to zero. He thinks it was helpful that he pushed to get numbers, and is glad that someone finally is taking a close look at the issue. If the Board must make a recommendation, he would like to revisit in 6 months, and the recommendation should be a number not to exceed a specified amount. Mr. Ledoux noted that the Fund cannot run a deficit, so if revenues are low, the Town has to make mid-year adjustments, reduce costs, etc. Board members expressed concern about making a budget recommendation without a caveat, and agreed on the need for status updates during year. Mr. Gowing said the place for the caveat would be during the article presentation at Town Meeting. Ms. Harting-Barrat said the Nursing Service was well aware of the issues.

Mr. Sonner suggested that the Board could take another look in September and if necessary discuss a possible exit strategy at that point.

Mr. Calandrella asked if the Board could make a recommendation with conditions. Mr. Gowing said the Board must recommend, not recommend or defer. Vote 4-1 to recommend (Mr. Clough, Nay). Mr. Sonner – Move to recommend that the Board re-visit in September, Ms. Harting-Barrat – Second. Vote 5-0, UNANIMOUS VOTE.

Art. 12 –OK

Art. 13 – Senior Center – Vote 4-1 (Mr. Sonner, Nay). If there were a building lease opportunity, the Town could rescind, and not use the approved funding.

Art. 14 – capital equipment, vehicles, infrastructure – bonding. If there were a building lease opportunity, the Town could seek bond counsel advice about using the approved bonding in

Final

different situation. Mr. Sonner does not think the proposed standby generator at the senior center or the portable intersection traffic control system is a good use of money. Mr. Ledoux said the power outage at the Route 27 intersection was a disaster; and the current senior center needs a generator while the new one is being developed. Mr. Clough expressed similar concerns about the senior center generator but acknowledged that in the last storm, the number of generators was insufficient and the Town needed more.

Art 18, 19 – OK

Art. 22 – Petition re OPEB. Deferred

Art. 25 – Public Schools Budget - 26,562,103. OK

Art. 26 – Acton assessment for AB - 25,193, 314. OK

Art. 27 – Lower Fields. OK.

Art. 28 – Minuteman assessment. OK.

Art. 29 – Minuteman – amend FY12 adjustment.

Art. 30 – Minuteman stabilization fund – deferred

Art. 31 – Regionalization K-6 – deferred

Art. 32 – CPA – OK, except deferred 468 Main.

Art. 33 – Home Rule Petition re Deputy Police Chief

Etc.

## **REVIEW LETTER ON PROPOSED TRANSPORTATION OF ETHANOL ALCOHOL BY RAIL THROUGH ACTON**

Mr. Gowing – Moved that Mr. Gowing contact Global Oil in Revere and the Town's state representatives to advise that the Board cannot support the proposal, and needs more information, Mr. Sonner – Second. All Ayes, UNANIMOUS VOTE.

## **SELECTMEN'S REPORTS**

Mr. Sonner reported on Green Advisory Board's thermal imaging project: that almost 400 people have signed up for residential thermal imaging; the stretch goal is 800 people. The Acton 2020 review was successful. SATSAC members will attend MBTA hearings in Fitchburg; the Recreation Commission has installed a shade at NARA beach.

Mr. Clough noted that three Selectmen were at the Finance Committee's recent meeting about budget items; the OPEB allocation for the regional school needs adjustment. Mr. Ledoux said the allocation had been adjusted. The Design Review Board is changing officers and will have co-chairs; the DRB has taken back earlier comments on the 40 Sudbury Road project due to recent changes in that project. Mr. Calandrella confirmed that the Economic Development Committee has been involved in the warrant articles amending the sign bylaw.

Ms. Harting-Barrat reported that the schools were working on the budget. The Massachusetts Municipal Association policy committee meeting covered the issue of veterans funding (municipalities with populations of at least 12,000 require veterans officers); and issues involving unemployment abuse. The Planning Board article on drive-thrus has been withdrawn.

Ms. Adachi reported that the Commission on Disability approved the proposed bylaw amendment to reduce the number of members consistent with the earlier charter amendment; Tom Hopkins, Director of the state Architectural Access Board did a well-attended presentation at the library on accessibility issues. The Community Preservation Committee voted to recommend 500K for Open Space, which was the last of the recommendations for the warrant

Final

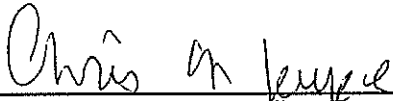
article. She attended the first-ever tribute to long-time employees, including the Board's recording secretary, Christine Joyce. She attended a Court of Honor ceremony for three Eagle Scouts, including the Board's own Colin McKinley who oversees the recording of Board meetings. And the full Board survived the League of Women Voters Civics Bee on 3/11.

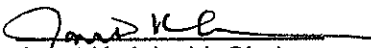
Mr. Gowing reported on the Council on Aging meeting. He attended the recent MAGIC (Minuteman Advisory Group on Interlocal Coordination) meeting: there is a 40B proposal in Littleton; Maynard has purchased the Country Club and is seeking looking for someone to run it; the MBTA is looking a possible service cuts; there is a comprehensive agricultural planning proposal; the T advisory board is looking at a proposed T increase that would involve charging sports teams, colleges extra; there is a proposal to offload the water shuttle to Massport, etc.; there is universal concern that T service changes will have the greatest impact on those who can least withstand it.

### CONSENT AGENDA

Item 13 – Taxi Cab License, Freedom Cab: Held by Ms. Harting-Barrat who asked if a cab operator had to comply with CORI in order to get license: No. Mr. Gowing - Move to approve all items, Mr. Sonner - Second. All Ayes, UNANIMOUS VOTE.

Move to adjourn at 11:10 p.m.

  
Christine Joyce, Recording Secretary

  
Janet K. Adachi, Clerk

Date: 5 Nov 2012

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

Francis Faulkner Hearing Room

March 12, 2012

7:00 PM

Executive Session 6:30 P.M. Room 204

**EXECUTIVE SESSION: To discuss strategy with regard  
to Collective Bargaining**

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

1. 7:05 **CHAIRMAN'S UPDATE AND TOWN MANAGER'S  
OPERATIONAL MINUTE**  
The Chair and Town Manager will briefly update the Board
2. 7:10 **CLASS I CAR DEALERS LICENSE, ACTON LINCOLN  
MERCURY, INC. D/B/A ACTON CHRYSLER DODGE JEEP  
AND RAM, 196 GREAT ROAD**  
Enclosed please find materials in the subject regard
3. 7:25 **SITE PLAN #7/6/11-433, 40 SUDBURY ROAD (CONTINUED  
FROM 1/23/12) LINK TO MATERIALS AND PLANS**  
<https://doc.acton-ma.gov/dsweb/View/Collection-4706>  
Enclosed please find materials in the subject regard
4. 7:45 **SENIOR CENTER BUILDING COMMITTEE REPORT**  
Enclosed please find materials in the subject regard
5. 8:15 **LOWER FIELDS PROJECT AT ABRHS PRESENTATION**  
Enclosed please find materials in the subject regard

**III. SELECTMEN'S BUSINESS**

6. **CONFIDENTIAL REQUEST FOR FUNDS FROM THE VARNUM TUTTLE  
TRUST FUNDS**  
Enclosed please find materials in the subject regard
7. **CONTINUATION OF TOWN MEETING ARTICLE POSITIONS**  
Enclosed please find materials in the subject regard

**EXECUTIVE SESSION**

To discuss strategy with regard to Collective Bargaining

**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.

MARCH 26

APRIL 2, PRE-MEETING (LOCATION TBD)

TICONDEROGA ROAD  
TERMINATION OF EASEMENT

**PENDING MINUTES**

JANUARY 8, OCTOBER 17, 19, 2011  
JANUARY 9, 23, 30, FEBRUARY 6, 27, 29, 2012

**PENDING COMMITTEE APPOINTMENTS**

None



Janet

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# Agenda

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<input type="checkbox"/>	PDF	<b>020 (2) Class I Car Dealer's License, Acton Lincoln Mercury, 196 Great Road</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	764 KB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>030 (3) Continued from 1/23/12, Site Plan #7/6/11-433, 40 Sudbury Road</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	1 MB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>040 (4) Senior Center Building Report Documents</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	440 KB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>050 (5) Lower Fields Project at ABRHS Presentation</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	51 KB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>060 (7) Continuation of Town Meeting Article Positions</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	196 KB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>070 (8) Letters from Chelsea Green Space re: Proposal to Transport Ethanol Alcohol by Rail Through Acton</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	453 KB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>080 (10) Minutes, Board of Selectmen, December 19, 2011</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	535 KB	<input type="text"/>
<input type="checkbox"/>	PDF	<b>085 (11) Appointment of Registrars, Republican,</b> Scanned with FlowPort '2012 Meeting	admin	03/09/12	45 KB	<input type="text"/>

Week Cover Sheet' Cover Sheet									
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<input type="checkbox"/>	 <b>110 (13) David Veo, Taxi Car Driver, Freedom Cab</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	127 KB					
<input type="checkbox"/>	 <b>120 (14) Request to Use Woodbury Lane Parking Lot for Bake Sale</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	51 KB					
<input type="checkbox"/>	 <b>130 (15) Request from Historical Society to use Town hall Parking Lot and First Floor on Patriots Day</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	86 KB					
<input type="checkbox"/>	 <b>140 (16) One Day Liquor License, Acton Barn Cooperative Pre-School</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	110 KB					
<input type="checkbox"/>	 <b>150 (17) Disposal of Obsolete Materials, Memorial Library</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	40 KB					
<input type="checkbox"/>	 <b>160 (18) Accept Gift, Planning Department</b> Scanned with FlowPort '2012 Meeting Week Cover Sheet' Cover Sheet	admin	03/09/12	42 KB					

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