

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**July 13, 2009
Acton Town Hall
Francis Faulkner Hearing Room
7:00 P.M.**

Present: Paulina Knibbe, Peter Berry, Lauren Rosenzweig, Terra Friedrichs and Mike Gowing, Asst. Town Manager Murray, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Joan Yatteau, 40 Concord Road and member of the Acton Garden Club spoke about Lyme disease and the Garden club's concern about Lyme disease. They want to garner the board's support for this very important issue. They seek the Board to help to mitigate the increase in cases.

Wayne Friedrichs – thanked the Board for the Farmers market, and reported the great success.

Gena Manalan 7 Kelly Road – Wanted to ask the BOS to husband the issue of Lyme Disease. She wanted the Board to play a leading role in this important issue.

CHAIRPERSON'S UPDATE

Paulina reported on the 4th of July Celebration and complimented the staff on the good job

Farmers Market real addition to the community opportunities in town; she urged folks to attend.

CNN money net work reported that Acton is listed as #16 "best places to live" out of 100 cities and Towns in the U.S.

OPERATIONAL MINUTE

John reported the close out of FY09. Revenues will equal or slightly exceed expenditures. In summary he reported that we have balanced the year.

PUBLIC HEARINGS & APPOINTMENTS

APPLICATION FOR FULL LIQUOR LICENSE AS A COMMON VICTUALLER, JULIE'S PLACE, 208A MAIN STREET

Ms. Saganich explained that an opportunity had come up and she wanted a chance to expand and grow the business. She noted that she would expanding her business into the space vacated by Daniela's Cantina. She would add dinner service and be open until approximately 9:00 or 10:00 PM. She would like to see how it goes with the proposed hours before finalizing the hours. The application is for a full liquor license and she has already conducted the TIPS training with the staff. There were no comments from the public.

Terra is excited about her business expanding.

TERRA FRIEDRICHS – Move the Approve. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

BOARD OF HEALTH AND WRAC OVERSIGHT MEETING

Joanne Bisetta and Pam Harting-Barrat presented the Board of Health's duties and activities during the past year. That as of 1995 they have had 400 applications to Title V and Article II variance requests.

Joanne outlined the expansion to provide public nursing services in Stow.

New Community Services person has been on board and busy.

They plan to work on Lyme and other issues and outreach opportunities.

Terra asked about Laura Ducharme and her opportunities to increase her outreach.

Peter asked about education of Lyme spread. Joanne noted that they had a public hearing around this issue. Postings at public lands, asking people to notify them, what the ticks look like. Staff has been working with Jamie Eldridge to get Lyme assistance and to discuss deer in town; it is primarily education at this point. It is a reportable disease.

Peter asked about Health Grants to look the issues and needs.

Lauren commented on the good job they were doing, but felt we need more health education and outreach.

Paulina spoke about Garden Club Petition. She said that people will stay in and we don't want that to happen. If we need regional support we should do that. There was a link to the CDC and it will be put it on the web site.

Paulina asked about H1N1 and it is felt it will come back in the Fall and what steps do we need to prepare for this. They have had the mock drive through at the Hazardous Waste. We need to do more to let people know that we have a dispensing area. It only took 8 seconds from start to finish.

Paulina spoke about expanding nursing to Stow. Our VNA has been marketing to Robbins Inn and now they see a large chunk of use associated with them.

Paulina asked that they remain to observe the meeting for WRAC and Sewer.

Wayne Friedrichs, spoke about the importance of addressing the issue of Lyme Disease and many may not see the bull's eye and it is hard to make a diagnosis.

Helen Probst – spoke about Lyme and we need to educate our physicians and get the blood tests.

WRAC OVERSIGHT MEETING

Ron Beck 80 Estabrook Road – He is here as the Chair of the WRAC. He went over the membership, and their yearly review. They summarized with slides the issues and concerns overview.

They want advice from BOS and feel they need to continue to report to the Board of Selectmen. Chris Shaffner has resigned and they have had Matt Liebman express interest in filling that position.

Lauren said we need to take a holistic approach. Our Water all mixes in to each other, and we have to figure out how to balance and continue to safely drink it and address environmental issues. Lauren said it was important to work with one another to reach mutual goals. She noted the need for the education piece, and you need to go forward with WRAC. We need to know what goes on underground. Lauren wanted to compile the documents but have a link to them on the Town website. Ron said that Justin Snair from Health is assisting them and has been very helpful.

Paulina expressed her thoughts about smaller projects in the first year; she noted the magnitude of the issues before them. She suggested that they address the Wastewater Management Districts as outlined in the CWRMP.. That is a good project for the committee and she feels the education issue is more than enough work for the committee.

Terra is impressed with the committee. They have a collection of folks to set aside and just focus on the technical/environmental component.

Mike said it is a large amount of information to move forward. He feels that what we eventually do, the spin of it is a Board's issue.

Lauren noted 2 and 4 were important issues to address.

Clint Seward noted that they are highly educated and could not ask for a better committee. He said it appears that Acton is getting close to the water use ceiling of 85% permit to draw. He asked about the impact on the small excess capacity. Who is looking at growth of Acton's water capacity? It was noted that the Water District monitors these issues.

Mary Michleman – Spoke about pharmaceuticals in our water and we need to keep them away from our water supply. We can only do so much with source reduction. She felt that WRAC could perhaps review this; unused pharmaceuticals could be gathered and not flushed.

SEWER ACTION COMMITTEE OVERSIGHT MEETING

Andy Munro and other members were present. Helen Probst discussed the run up to Town meeting and their activities. Special Town Meeting did not pass the article. They feel they were rushed and there were items and concerns that were not covered and how low pressure works and are used in many communities. They held a post town meeting review session. How to hook up, pumps, paving and they came up with a very strong way to reach consensus. They spoke about citizen wants, more education maintaining current systems, detailed of who does or doesn't want sewers. They need to be listening to each other so they can come up with a solution that is acceptable to all. They feel that there is still some viability for sewers in the area.

They would also like to talk to reconfigure membership to possibility to change the leadership on the committee. In spite of a no vote the need is still there and the neighborhood needs help.

Lauren noted the intent to take advantage of the stimulus monies rushed this, and people felt they had a very short time period to decide a very important issue. There were no opportunities to educate the residents better about how it affects them personally. Lauren said it is a very personal issue and hopes that the neighborhood moves past it and can find consensus and move forward.

Peter agreed with Lauren and noted it took 50 years to get the first sewers in the ground. The process is a personal issue because of costs and environment protection. It is a larger issue than Spencer/Tuttle. We need to look at it globally throughout the Town.

Mike thanked the committee and because of the stimulus money rush they got shorted. However, now we have time to address this solution, not all people will be happy.

Paulina said they did a good job and they came up with the best solution that could be made and it failed at Town Meeting. How do we move forward, we need to figure out how to address these issues.

Paulina noted her Straw man proposal she prepared. We have several issues in the Problem Space. Who is going to work on what? Selectmen will work on the sewer expansion committee and to form a neighborhood group to work with the Spencer/Tuttle area. We need to resolve the issue in that neighborhood.

Board of Health would deal with current septic needs

WRAC needs to have waste water management districts and more education.

Neighborhood solution, we need to find a solution to the waste water management in that neighborhood, it may be sewers or not.

Mike felt it is a good solution and we have over lap in various areas and of the three Boards.

Peter noted that Sewer Action Committee is looking for a BOS member on their committee. He questioned the reporting structure, and now they need to report to the selectmen at this time. Lauren said she would be the BOS Liaison to the Sewer Action Committee. Lauren felt that we issue updates to the Board of Health as well as Planning and Conservation.

Terra asked who would advise on the technical data and different solutions where would a citizen go.

Sewer Committee understands and it will allow more citizens to attend and asked that a place holder will be put on funds from SRF.

BOH – asked about the WRAC and Paulina wanted them to report to BOH ultimately.

Ann Chang said we need a new committee Treatment Plant Asset Committee TPAC to study the asset of the existing treatment plant and how it is currently being under-utilized, and felt we have people in town who have a handle on finances and the board needs to consider this. She

also noted that they not dissolve SAC until Fall. She felt that WRAC should be taken over by BOH at this time.

Paulina said we need to deal with capacity and opt out of districts and financial items.

WRAC – Ron Beck is comfortable with the district and task splits as proposed. He felt we need to look at not overloading the Health Dept.

Paulina noted that it felt the committees and Board of Selectmen agreed with her proposal.

Matt Liebman – he is support of this and asked what town staff would support them and wanted to hear if there is a commitment to provide staff.

Resident of Lothrop Road feels that all people need to be heard.

Clare Pelletier, Tuttle Drive– they need to address this and be sure that the committee doesn't overthrow the work and that all areas are heard.

Howard Sussman – has a tank that will last his lifetime. He has found that just prior to Town Meeting the people were giving mis-information. He thinks it is important to bridge the two committees.

Oleg Volinsky, Durkee Road noted that some facts are being lost. He said the Sewer Action Committee came up with a good solution and to mandate them for one year to develop a fair approach.

Paulina asked that we apply for State Revolving funds for the two options Spencer and West Acton gives us more opportunity to receive funding, TERRA will abstain

PAULINA KNIBBE - Moved we have this structure of the work as laid out. TERRA
FRIEDRICHS - second. UNANIMOUS VOTE

SELECTMEN'S BUSINESS

FY10 SEWER O&M RATE SETTING

Steve Barrett explained the Rate setting figures used. The hook ups are slowing. They feel it will be a flat season for tie in's in FY10. He needs a vote for Residential and Commercial Rate. 2.3 per gallon for Residential and 2.6 increase for Commercial. The average bill will be declining as the residents conserve.

PAULINA KNIBBE - Moved to set the Rate for Residential at 2.5% or .0167 per gallon.
MICHAEL GOWING - second. UNANIMOUS

PAULINA KNIBBE - Moved to set the rate for Commercial at 2.6% or .0237/gallon MICHAEL
GOWING – second. UNANIMOUS VOTE

BUILDING DEPARTMENT, FEE INCREASE FOR FY10

They have gone through a full methodology. The recommendation will reflect a more than doubling of fees on full cost. Mike said he got a permit and noted that it is a very slow manual process

Herman wants to have the Fincom look at it and have the Board shelve until they have had a chance to review this.

LAUREN ROSENZWEIG – Moved to approve effective August 1st– Fincom to review this and give us an advisory opinion. After the Fin Com reviews and has any issues we will reconsider. After discussion this Motion was Withdrawn.

PAULINA KNIBBE – Moved to approve the fee increase to be effective Aug 1st and simultaneously send to Fincom for their review and to include Fincom's opinion and discuss it on the July 27th Special Meeting agenda. MICHAEL GOWING – second. Motion carried 4-1. Lauren voted no because she preferred her original motion (to get advice and then vote).

LOCAL MEALS TAX OPTION

Herman reported on the Local Meals Tax Options and the Fincom voted unanimously not to ask that a special town meeting be called and put on an annual if they decide or not. Fincom made request for more info, analysis, and sentiment that this is an alternate property tax. Don't do anything to implement this at this time and let us go for more detailed vetting if we do anything at all at the Annual meeting.

Paulina wants to have the Fin Com and School Committee input.

INTRODUCTORY DISCUSSION OF PROPOSED VILLAGE AND LAND PURCHASE PROGRAM

Terra Friedrichs spoke about Village growth. She noted small properties move fast through the system and the opportunity is lost.

Possible Solutions to Explore, Land Bank and funding methods. She was directed by the Chair to bring her ideas to the Open Space Committee and CPC for feedback.

CABLE TV COMMITTEE, LETTER TO VERIZON DISCUSSION

Mike reported on the draft letters in the Packet. Verizon is trying to make sure the Town has only 95 days to respond. Solomon is asking we write letter to congress and testify on Beacon Hill. He wants to go but wanted to discuss with the Board. Terra felt that we should advocate for ourselves.

PAULINA KNIBBE - Move to send letter and endorse Mike to testify against the legislation.
PETER BERRY – second UNANIMOUS

DRAFT COMMITTEE HANDBOOK

Paulina spoke about finishing this up before summer. Board was asked to have their comments back to Paulina ASAP. Paulina wanted to discuss Alternate and Associate memberships.

USE OF THE TOWN OFFICIAL WEB PAGE VERSUS OTHER GENERALLY AVAILABLE WEB SITES SUCH AS GOOGLE/YAHOO FOR TOWN BUSINESS

Paulina spoke about the board's need to have storage for documents and public folders. Terra said that other towns have a link to the documents. Peter Berry asked for an example. WRAC has technical information to allow a quick share with others. Carol Holley felt there is no reason not to store on town site and have the information be more accessible to citizens. It was noted that we did not want blogging. Lauren reminded the Board about the Disability Commission's request to be able to have a link on the town website to a discussion group on the web. Lisa Franklin is in the process of discussing the structure of this with Town Counsel. Lauren said we need clear guidelines and policies.

Carol Holley – spoke about mounting items on the web and to put a link from WRAC page to google groups, like a virtual reference library.

Mike wanted to have IT administrator or have off line discussion because they are talking about Town Documents.

Terra spoke about staff involvement and saving of time. She will volunteer to draft a policy.

Paulina said we need to have town items on our web site and thought the Google site was not appropriate. She was not concerned with the space used.

John talked about town and non town documents as it might be part of deliberations and how it is being used for quorum.

Lauren said that there is so much info, true, not true, partly true. She was concerned to see untruths. She feels we need more discussion and to take it very carefully.

She urged that Town Counsel develop a policy.

Paulina asked if we put a link on the website for Google and a pop up to say you are leaving the town's website.

The Board consensus was to allow the info to be listed on the Google Groups, but that there be a link to it on the Acton Town Website. This is the interim policy until a more comprehensive policy is developed.

ACTON FAMILY NETWORK, REQUEST TO USE TOWN HALL AND LIBRARY PARKING LOTS

Paulina is concerned about the size of this event during hours when the library is open. There is a conflict as there is a function already scheduled. LAUREN ROSENZWEIG – Moved to allow the Tag Sale this year, and to let them know they need to look at alternate locations for future years– MICHAEL GOWING – second. UNANIMOUS VOTE

SELECTMEN'S REPORTS

Lauren talked about a meeting held by the Planning Department to explain a project we are doing with Tufts University Graduate School of Urban Planning. The study will explore the use of virtual reality software for planning. As an example the Tufts team is using Kelley's Corner. The owners and residents of property in Kelley's Corner were invited to learn about the project

before we advertise it to the community. Many owners showed up and there was a great deal of interest and questions.

Peter asked for a finance committee member for meeting on July 23 at the Senior Center

Health insurance Trust meeting met and we came out with a \$ gain (I don't have this in my notes).

Paulina discussed the Special Meeting on the 27th for the Health Insurance policy discussion.

Terra noted that EDC discussed the Sales Tax issue. They are ready to kick off the work groups.

Google issue COD and has to have disclaimer on it.

Mike reported on Cable Advisory Committee being negotiations with Comcast Aug 13th.

OTHER BUSINESS

None

CONSENT

#23 Appt. of Margaret Busse to the Planning Board Associate Member held by Terra

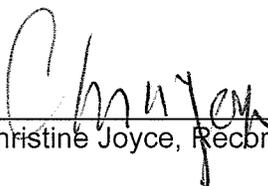
LAUREN ROSENZWEIG – Moved to approve the Agenda except for items 23. MICHAEL GOWING – second UNANIMOUS VOTE

Terra wanted to be sure that her questions about Ms. Busse and Anti Gay group involvement were addressed such as her Donation of \$500 in California to stop same sex marriage. Lauren said the Planning Board oversees Master Plan and Zoning Bylaw, and further felt this was unrelated to Terra's concerns.

LAUREN ROSENZWEIG - Moved to appoint Ms. Busse as Associate member of the Planning Board. MICHAEL GOWING - second. 4 to 1 Terra Friedrichs Abstained

EXECUTIVE SESSION

None Needed


Christine Joyce, Recording Secty


Clerk
Date: 8/10/09