

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING
September 21, 2009
Acton Town Hall
Francis Faulkner Hearing Room
7:00 P.M.

Executive Session – 6:30 P.m. Room 126

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

CITIZENS' CONCERNS

None

CHAIRPERSON'S UPDATE

None

OPERATIONAL MINUTE

Steve updated the Board on his attendance at the ICMA conference. He noted how well staff had presented what their needs are on the first day of "On the Hill". He feels that staff understands the situation. Lauren asked them to look at things that could be addressed with CPA Funds.

PUBLIC HEARINGS & APPOINTMENTS

H1N1 PRESENTATION BY DIRECTOR OF THE BOARD OF HEALTH AND NURSING SUPERVISOR

Doug and Merrily spoke about the program of education. They spoke about the volunteers that will help them and having a drive thru immunization at the Highway Department building.

Lauren noted that they had answered her questions.

Terra wanted to volunteer in non-medical status. She was concerned that someone might be forced into having to take the injection. Merrily said that it was not forced and they will not make anyone get it.

H1N1 is being covered under Federal Government and it is free. The seasonal Flu can be charged to Insurances or free if people cannot afford it. There is a fee to cover Health Department expenses.

495 WEST PARTNERSHIP BRIEFING

Lauren discussed her involvement with I-495 West Partnership Paul Matthews, Executive Director was in to update the Board and introduce the Annual Report.

Paul spoke about the formation of the group in 2003. The region was interested in promoting Economic Development and that attracting good businesses to the region was critical to the towns along the corridor in terms of jobs and good planning. They have been working with the private and public sector as it is needed in this environment. They don't focus in points of friction. They are looking at Water, Housing etc. They have been doing transportation committee research, with the Turnpike Director and they are looking forward to seeing him. They make sure the Regions projects don't get lost. He said that he sat on the Stimulus Board with 48 other people. 495 West pushed double tracking and transportation and in addition he has a Green Tool Kit to coordinate and help municipalities and they are on disk which makes revisions. They have representatives of environmental groups, municipal officials, business people, education, chambers of commerce and planners.

Paul noted the water use guides and they are on the web site and address how to deal with the water constraints in our region. They have commissioned an Annual Economic report to document the stats. He said they are happy to have support from municipalities and noted the committees do not have a firm schedule which makes it easier for people to volunteer.

Paulina thanked him and asked about Economic Development and asked him to do anything in the region to support the economic development. Peter noted he is involved with the State on the Train Station. He asked if the money disappeared from double tracking. Paul said that it would not have been affordable and it needs to be ready to go to get funding. Peter asked when the double tracking money will be released. Paul assured it would be in October. Peter asked about Littleton. For double tracking they would need to have a platform and the Town of Littleton's intention is to work with a nearby land owner to increase the parking.

Terra asked about representation. Lauren said one thing is double tracking and station improvements need to get together for design. We need to find out who the contact people are and how to know when the money is available. Terra wants to take care of Acton as opposed to Regional concerns. Terra asked when they would be talking with Acton's EDC. Paul said that they were set up to have communities get what the communities want.

Kate Chung on the Sidewalk Committee asked about installation of pedestrian gates and sidewalks at the railroad crossings. Paul said he didn't know about it, and suggested we contact MBTA and Fitchburg Line Working Group.

Terra asked them to give us a heads up when something is coming in.

SIDEWALK COMMITTEE ANNUAL OVERSIGHT MEETING

Kate Chung and the Sidewalk Committee were in for their Annual Oversight meeting. They presented a slide show on the activities over the past year. Kate discussed the completion of some of the sidewalk projects. Kate spoke about the Draft Sidewalk Design Guidelines.

Paulina commended them on the High Street land owner's cooperation. Two questions before them with regard to High Street do we go ahead with the survey. Staff has recommended that this could address some of the dangerous parts of High street. She asked how we want to proceed.

Peter noted the sidewalks are getting rave reviews and use. Peter asked about the Main Street end. Peter asked if the Sidewalk Committee had funds to build them. Alexan was to give us sidewalk monies. The money has not been received as they are in a stall mode. Peter noted that eminent domain is costly and emotional.

Terra noted the sidewalk design guidelines. She wanted to minimize the taking down of ancient trees. Terra asked if the Water Department was onboard with the Main Street sidewalk due to water zones. Paulina said that the Water District was ok with this.

Lauren noted that we need to have safe sidewalks for those like the elderly and those who walk and they must be maintained in the winter as much as possible.

Paulina felt we needed to start the survey because if we wait properties will change hands. She doesn't want to use Eminent Domain to solve this situation.

36 GREAT ROAD, COMMON VICTUALLER, SPICEPEPPER GARDEN

Hong An outlined his business plan and asked that he be granted a Common Victualler License
PAULINA KNIBBE – Moved to approve. TERRA FRIEDRICHS – second. UNANIMOUS VOTE

36 GREAT ROAD REQUEST FOR FULL LIQUOR LICENSE 36 GREAT, SPICEPEPPER GARDEN

Lauren asked about the Manager and liquor service. Terra addressed the number of licenses available and that this was business the type of business she wanted to come to Acton and have a liquor license available for the Board to Grant. PAULINA KNIBBE – Moved to approve of the Full Liquor License. TERRA FRIEDRICHS – second. UNANIMOUS VOTE

ALG DISCUSSION

Paulina spoke to the DOR guidelines.

Paulina spoke with School Committee Chair and they are looking to taking the delta out of overlay, this would be \$200,000 out of overlay account and is a change from the last ALG meeting.

Paulina noted Steve's successful savings options such as the dollar values from freezing hires, holding on Capital expenditures and minor items of saving for a cushion for FY10.

Steve spoke about the School Committee position and he will discuss with Steve Mills. They could work through this together and will be sitting down on Friday to discuss. He is concerned that the municipal budget approved in April that we have a number of side deals that are bourn in the municipal side. Steve said that some of the side deals made at ALG have changed. Lauren said while ALG is not binding, what was the reason for the change and can our overlay carry this?

Terra asked about administrative costs that we take care of this down stairs. She is in favor of prioritize what we have, and asked how we get to 97%, it was noted we have reached and we are above the 97%

Dore' spoke about Minuteman needing large sums of money in the form of an assessment. They want to do a million dollars of repairs in the first stage. Minuteman is in a favored position for outside monies.

Terra said we need to keep a running list of obligations that were coming up, and we don't want to get them all at once.

SELECTMEN'S REPORTS

Terra has nothing

Peter said Health Insurance Trust voted to recommend town and school being in the 10% percent.

TAC--Lauren reported on the Parking lot RFP's and the RFP's for Suburban Mobility Coordinator and Vendor Steve spoke about the pre-conference and two companies showed up for the first conference and noted that no one came forward for parking lots etc. Franny will be doing outreach. The bids will be in Friday the 25th.

Lauren spoke about the expanded parking lot OMR has put in back of their building. It was unknown if we could use a few spots for the shuttle.

GREEN COMMUNITIES UPDATE

Paulina noted that they are proceeding with the five items recommended by GAB. The executive summary lists the items to be addressed.

Lauren is in favor of asking the Planning Board to support the expedited permitting process in green communities act. She reminded the BOS that this is merely looking in to expediting the permitting process for Green energy manufacturing. It is different than the State's program to pre-permit areas of town where we might want new businesses to locate. That is a different program. The Green Communities wants a commitment from the Boards that they will issue a decision on a "Green" manufacturing site within a year's time. The Planning Board will need to look into how they might streamline the public process to ensure that all the necessary input and staff and board review could be completed in this time frame.

Steve was asked to have planning department discuss with their board.

Portfolio management we need to get going to have the back data in. TERRA FRIEDRICHS - Moved to send it in. PETER BERRY - second UNANIMOUS VOTE

AMENDMENT TO ELLSWORTH VILLAGE REGULATORY AGREEMENT

Lauren outlined the request to change in the Regulatory Agreement. Terra asked about a 120 day time limit before a unit goes back to market rate. LAUREN ROSENZWEIG – Moved to approve as outlined in the memo. PETER BERRY – second. UNANIMOUS VOTE

OLD HIGH SCHOOL COMMONS DEVELOPMENT

Lauren spoke to this item and Nancy Tavernier's Memo. The DHCD looks favorably on projects for which the town demonstrates a local investment. Their application has been re-submitted, and additional funds would help this project move up in priority to receive state funding in the form of tax credits. It would help in the rehabilitation of this historic building.

Terra spoke about the use of funds to buy units on Great Road; the number that could be helped would be more. Lauren noted that all the units will be affordable. If they don't get their funding we get our money back and still are available for other programs. ACHC will be commenting on this for our next meeting.

LAUREN ROSENZWEIG - Moved to approve an additional \$150,000 from the Pulte Housing Fund toward the Old High School Commons affordable housing development, pending ACHC Approval. PETER BERRY – second. Terra wanted them come in with buy down projects and encouraged them to look in to an anchor tenant for the Towne School. 3-1 Terra Abstain. Motion passes

JOINT MPO LETTER FROM ACTON, CONCORD AND LINCOLN IN SUPPORT OF CROSBY'S CORNER ROUTE 2 PROJECT

Lauren noted she has been participating in MAGIC and advocating for Acton's projects to be on the Regional Plan and on the TIP. Crosby's Corner is supported by all the MAGIC communities, and though expensive, is seen as a critical project to fund and complete due to accidents, dangerous merge, and traffic congestion.

It is supported by the neighboring towns, and that we write a joint letter noting our needs. Dore' Hunter spoke about the three towns that choose to form the CAC. He noted he has signed many of these letters as a Board of Selectmen member. He said we need to send the letter as he feels they deserve this support. He strongly recommended that the Board sign the letter.

PAULINA KNIBBE - Moved to sign the letter. LAUREN ROSENZWEIG - second.

UNANIMOUS VOTE

Lauren has volunteered to go to the Route 2 Corridor Advisory Committee meetings in the future and to have Dore' still attend. Lauren said that because of the discussion communication is key. Lauren will bring back to the Board to have us totally up to date, and get input from relevant Acton boards. She recommends a meeting with the Concord Selectmen involved and their Town Manager to improve communication. Lincoln should be informed of the meeting so they do not feel left out. Planning for Route 2 rotary will continue, but it is now on the list of illustrative projects on the Regional Transportation Plan, rather than in the plan itself. The recession has caused the MPO to re-look at the priorities. If funding improves, the Route 2 rotary could be put back in the plan. Review of these plans and the TIP list are done every year.

OTHER BUSINESS

None

CONSENT

PETER BERRY – Moved to approve the Agenda minus item #15, and #16 Board of Selectmen.
LAUREN ROSENZWEIG– second UNANIMOUS VOTE.

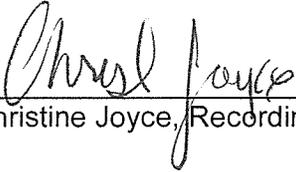
#15 GRACE Settlement– Terra asked to make sure we don't give up our right to sue for items that are not related to this agreement. And to include Dore' Hunter's appointment to CPC under Extra Information. LAUREN ROSENZWEIG - Moved to discuss Grace this at the next BOS meeting in October. PETER BERRY – second. UNANIMOUS VOTE

#16 Terra asked about the Spencer, Flint, Tuttle Drive Committee appointees. Lauren outlined her strategy in selecting two that wanted sewer and two that did not want. Lauren explained the background of the appointees.

PETER BERRY - Moved to vote #16. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

EXECUTIVE SESSION

6:30 P.M. – 7:00 PM -ROOM 126



Christine Joyce, Recording Secty



Clerk
Date: October 19, 2009