

FINAL

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

October 6, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 p.m.

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman; Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary

Chairman Gowing opened the meeting at 7:00 p.m.

Citizens' Concerns

Terra Freidrichs has a petition regarding reducing corporate influence on elections. Concerned about the relationship of Town Hall and Acton Water District, and pending Zoning Changes
PV Prakash, 24 Faulkner Hill Road utilizes train station and commutes to and from Waltham – concern with traffic and crossing rt. 27 and High Street – there is no audible tone to safely cross the road. Suggests the town consider putting in an audible tone at the crossing intersection. Mr. Gowing will mention it to the Town Engineer. Mr. Ledoux stated the Town Engineer is looking into it, but did not have a price yet.

Chairman's Update and Operational Update: Mr. Gowing: Kelly's Corner Steering Committee has an online survey, it can be located under the Manager's Blog on the Town website. There have been comments regarding the live streaming of the Selectmen meetings for residents without Comcast or Verizon. The last Selectmen meeting was cut off. Four Selectmen and the Town Manager helped to serve lunch at the Senior Center on September 30th. Mr. Ledoux: October 8+9 is "On the Hill" budget meetings for FY 16. Fire Department Chief met with Executive Committee of CMERA (Central Middlesex Emergency Agency) to follow up on Acton moving forward with providing ALS service. (other communities have not been paying for mutual aid). Had a visit from the Secretary of State's office to view polling areas in Acton. ALG Thursday morning. Prep meeting for Board of Selectmen for tri-board meeting.

Public Hearings and Appointments

7:10 p.m. **Public Shade Tree Removal, Dean Charter, Tree Warden** – Mr. Gowing read the public hearing notice. Dean Charter presented the condition of the public shade tree, and the petition from residents to remove it. NSTAR has been removing deemed hazard trees out of the inventory of the public and private land. Tree in question is on the corner of Quarry Rd and Granite Rd. Mr. Charter

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produced a petition from abutters in favor of removing the tree. Todd Brown spoke in favor of keeping the tree(s). Rohan Beckwith spoke as the resident where the tree is located and is in favor of removing the tree.

Ms. Green – move to preserve the tree and that Mr. Brown offer service to prune the tree to the satisfaction of NSTAR and Mr. Charter

Ms. Osman – second

4 AYES, 1 NAY (Mr. Berry)

7:20 p.m. **Full Liquor License, Mayuri Indian Cuisine:** - Mr. Gowing read the public hearing notice. John McNamara represented SVR Food Groups, Inc. There will be no sit down bar at location– only table service. Manager has experience at other current location in Westborough, and multiple other restaurants. Serving only luncheon and dinner 7 days a week. Location served a previous restaurant.

Ms. Green – moved to approve full liquor license

Ms. Adachi seconded

ALL AYES

UNANIMOUS VOTE

7:25 p.m. **Common Victualler License, Mayuri Indian Cuisine–** Mr. Gowing read the public hearing notice

Ms. Green moved to approve common victualler

Ms. Osman seconded

ALL AYES – UNANIMOUS VOTE

7:35 p.m. **Use Special Permit #07/30/14-452, 457 Great Road, Reduced Parking:** Mr. Gowing read the public hearing notice. Attorney Alex Parin, Cindy McCullough owner of 1 on 1 Self Indulgence.

Ms. Adachi inquired if there would be a reconfiguration of landscape on the asphalt parking lot – Ms.

McCullough stated that there would be financial hardship to re-landscape, and possible draining

concerns. Mr. Gowing inquired if there will be 9 lined parking spaces, counsel for owner confirmed that there would be. Also, a handicapped access has been completed to allow for van drop off.

Mr. Berry moved to grant the special permit based on the interpretation of the Zoning Enforcement Officer.

Ms. Green seconded

ALL AYES – UNANIMOUS VOTE

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7:50 p.m. **Common Victualler License, Great Road Seafood Sales** - Mr. Gowing read the public hearing notice. Liquor license from previous hearing was granted and approved by the Local Licensing Authority Board on September 22, 2014.

Ms. Green moved to approve common victualler

Mr. Berry seconded

ALL AYES – UNANIMOUS VOTE

7:55 p.m. **Use Special Permit #07/07/14 – 450, cont. from September 22, 2014, 37 Knox Trail, Driveway Expansion** – Mr. Gowing read the public hearing notice. Mr. Berry is assigned selectmen to special permit. Representatives for Concord Public Schools, and Nitsch Engineering were present. Mr. Gowing recommends extending the hearing due to late submission of comments from the petitioner, Acton Water District, and Town Engineering Department. The Board requests more time to review all additional comments. Ms. Osman would like to have some sort of conversation regarding the amendments to the original plan. It was noted that the applicant has changed their original plan to not park school busses on site, but to only use existing building to utilize office space and parking only.

Nitsch Engineering gave an overview of the adaption/changes they have made based on the request/recommendation of the Acton Water District and the Town Engineering Department. The overview was the snow storage aspect following Department of Environmental Protection standards. Chris Whelan, Concord Town Manager spoke explaining why the school busses will no longer be parked at the location.

Several residents spoke regarding not approving the special permit. Paul Campbell, Acton Engineering Department commented on not foreseeing any problems with Concord's response to some of the concerns of the Town and Acton Water District. Due to the short notice of the special permit amendments, Mr. Campbell has not reviewed parts of snow storage and test wells.

Ms. Green moved to continue an agreement on time extension to November 3, at 7:20 PM, Ms. Adachi seconded. ALL AYES – UNANIMOUS VOTE

Selectmen's Business

Special Town Meeting Articles and Closing of Warrant

- 5 articles on the Acton Nursing Service
- 3 articles on Withdrawal from Civil Service for Police
- 8 articles on Zoning Bylaws

The warrant will be posted on October 29th. Town Manager Ledoux is asking the board to give permission to remove articles if they are not finalized by the 29th (Zoning Bylaws Draft Articles). Ms. Green moved to remove Nursing article 4 not be included in warrant, Ms. Osman, seconded. ALL AYES – UNANIMOUS VOTE (Special Petition to come before nursing articles).

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The Kennel License Fee Article will be left out of the warrant for Special Town Meeting, will be considered for the Annual Town Meeting.

Ms. Adachi moved to authorize the Town Manager and the Assistant Town Manager to modify the Town Warrant for the Special Town Meeting to meet the deadline, Ms. Green seconded, ALL AYES – UNANIMOUS VOTE

Selectmen's Reports: (Includes items postponed from 9/22 meeting due to lack of time)

Ms. Adachi: Acton-Boxborough Cultural Council – Monday, 9/15 – Gearing up for new grant year, planning further in advance; discussion of West Acton Frolic alternative to Oktoberfest on 10/4, whether opportunity to have table, promote. Discussion of NARA sculpture, "Heron's Dream," Town responsibility for maintaining, lubricating pivot section.

Acton Community Housing Corporation, Thursday, 10/2 – Annual audit just completed. Matter coming before BOS on 10/20, involving one member offered job w/Regional Housing Service Office; pursuant to guidance from Town Counsel and MA Ethics Office, has filed disclosures w/ BOS, will be able to hold both positions with BOS approval.

Design Review Board

- Charge revisions, Friday, 9/12 – Ms. Adachi met w/ Planning Director, Assistant Town Planner re suggested changes to charge.
- Wetherbee Plaza project, Wednesday, 10/1 – DRB discussion of proposed cottage addition; BOS hearing on 10/20.

Finance Committee

- 9/9 discussion of Acton Nursing Service - Recommendation delayed due to split votes among members as to various scenarios, and need for additional information about project revenues for some scenarios; discussion of proposed community outreach to PTOs, 3-boards meeting; update by Assistant Finance Director re global cash flow examination (of various accounts with funds, and their purposes).
- 9/16 extra meeting to vote recommendation about ANS. BOS received recommendation, based on R. Evans motion. Some member comments:
 - transition can be straightforward if agreement w/Parmenter provides Parmenter to do service going forward so Town not trying to unwind and comply w/Medicare certification requirements at same time.
 - Unwinding ANS and closing enterprise fund 2 different actions, only latter requires Town Meeting vote.

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-Discussion of 2014-2015 Point of View, possibly circulating to 3-boards meeting end of October; discussion of reserves 9M to be certified plus 1M NESWC, possibly good time for stabilization fund.

- For further discussion: R. Evans proposal for 200K for low-income senior tax relief program, based in part on Sudbury program but w/differences:

Water Resources Advisory Committee, Thursday, 9/18 – Discussion of 9/8 stormwater bylaw presentation to BOS; will continue to vet draft with departments, committees. Ms. Adachi needs to confer w/ Town Manager re proposed administrative authority to enforce bylaw. 10/1 presentation to Conservation Commission by WRAC member Matt Mostoller of Acton Water District.

Regionalization Finance Oversight Subcommittee, Thursday, 10/23 - First meeting of school year. Ms. Adachi was BOS representative last year, will attend the first meeting, but open to discussing having another representative for future quarterly meetings. Other Subcommittee members unchanged.

Town Common policy, Friday, 9/12 – Ms. Adachi met with Planning Director, Assistant Town Planner, Zoning Enforcement Officer, Building Commissioner re how to regulate signs Town commons in Town Center, South Acton, West Acton. Having designated sign-posting spots would make enforcement easier, allowing removal of any signs outside of permissible locations; discussion of different approaches, including stands holding multiple signs.

Acton2020/Kelley's Corner – Missed public workshop, 9/16, so watched video in response to recent follow-up email, inviting comments from anyone who didn't attend. Video and slide presentation, which can download separately, very interesting, with experts/facilitators explaining options and whys/wherefores. Participants given a few choices in various broad categories, in effort to pin down what residents would prefer to see, from small, focused improvements such as in traffic controls, to bigger-scale changes involving sidewalk/street/building layouts and different mixes of activities.

Other

Diversity Coalition, 9/23 – Fine-tuning final report on efforts. Report probably will go out in next month to various groups, including BOS.

MSPP Interface, Thurs, 10/2 – Public session re mental health referral service via MA School of Professional Psychologists to which Town, schools subscribing, serving all ages, though more involved on school side. 9-5 service, not 24/7 crisis management but can refer callers to services. Live as of 8/2014, working on publicizing service. See <http://msppinterface.org>

495/Metrowest Partnership - Water Resources Committee, Tuesday, 9/30 – Discussion of EPA proposed new regulation of stormwater systems in MA, known as MS4 permit). Draft out just after meeting.

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Draft subject to comment period, so will be a while before final. Might be reason for WRAC to put off pending stormwater bylaw until 2015 Town Meeting.

495/Metrowest Partnership - Quarterly Board of Directors meeting tomorrow. Discussion of FY14 year-end, FY15.

Ms. Green: The **Acton Boxborough United Way Needs Assessment Steering Committee** met and conducted an exercise to assess the committee's sense of the level of need versus the level of services available for a number of different issues impacting our communities. The exercise will help direct the consultants to focus on the issues with the highest needs and the lowest levels of service. The **Acton Leadership Group** met but Mr. Gowing and Mr. Ledoux already covered that information. The **League of Women Voters** held their opening meeting, which featured a presentation and discussion on the issues surrounding money in politics. Ms. Green attended the **Kelley's Corner Public Meeting**, which was a successful event filled with a lot of information and good discussion on the future of Kelley's Corner. Ms. Green registered voters at the Acton-Boxborough Regional High School back to school night as part of the League's voter registration effort. The **Acton-Boxborough Regional School Committee** met. JD Head provided an update on the busing situation as a number of issues are still being resolved as the school year gets underway. The Committee also voted to establish a transportation revolving fund account as newly permitted under state law. Ms. Green met with a young member of one of Acton's Girl Scout Troops. The troop is working on their Bronze Award and the young woman wanted to meet to discuss various needs in town and how the troop could help address one of those needs. Ms. Green also attended a walk held by the **Acton Conservation Trust** in the newly purchased land in the Acton Arboretum. It was a beautiful day and a very educational walk!

Mr. Berry: Reported on sidewalk construction both ongoing and proposed.

SATSAC: Reported on progress for new station construction , parking improvements and possible acquisition of the Richards property.

Fitchburg Line Working group met and voted to support Acton's Community Challenge Grant application. Peter Lowett sent a letter in support.

Kelley's Corner Working Group: Citizen survey is available on Town Manager's blog.

Ms. Osman: **Commission on Disability**- tomorrow is having a meeting specifically to go over the objectives.

Went through issues on Douglas School where people with disability have to go outside to reach another part of the school.

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Minuteman Senior Services has a service called "By Your Side." If income low, can get care management services. If you are over the limit for financial eligibility this program can identify services that can help. Brochures given out.

Council on Aging Board is concerned about lack of movement on Senior Center Study Committee. We need to address this. They are disappointed senior center interactive website has not been completed. Undergoing kitchen renovations.

Open Space Committee- Dunn property discussed.

Transportation Advisory Committee will be looking at the Planning Dept.'s traffic plan document that Board of Selectmen voted on at the last meeting.

Economic Development Committee- decided West Acton will be the focus. Will reach out to all businesses and landlord to hear what issues they care about.

AB Diversity Coalition – already reported by Janet Adachi.

Oct. 6 report also included Sep. 22 reports:

Sept. 22, 2014- Franny Osman Selectmen Report (reported Oct. 6)

9-11 Memorial Event at Public Safety Facility, well done, thank you to the Town Staff and volunteers that beautified the memorial and organized and spoke at the memorial.

Commission on Disability (COD) 9- 23-14

Considering a Beacon article educating residents about options available to them when they have temporary disabilities. It confuses people; break leg or hip replacement and not aware of options.

They had some questions about Nursing and if it could be left as is and put into the budget.

The High School has a new Mental Health Referral Service through Mass School of Prof. Psychology (MSPP):

Dear Families,I'd like to share with you a new community resource, and am hoping to increase awareness of it amongst various community organizations. **MSPP Interface** is a program that any resident of Acton and Boxborough can access if they need some guidance and support in pursuing mental health resources.

MSPP INTERFACE Referral Service is a mental health resource available to families in member communities to help children and families become connected with mental health and wellness resources. The service collects, categorizes and makes available a wide range of critical resources related to mental health and wellness for the benefit of the general public – children, adults and families – as well as educators and mental health professionals.

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Bringing Interface to A-B is a joint effort by the schools, the PTSO, United Way, the town of Acton, and other organizations.

Below is the description of an information session that is being held for community organizations so you can learn more about the resource.

Also, attached please find the two flyers which provide some basic information about the program, and that would be useful for families to have.

Hope you will find this information useful.

Sincerely,

Yumei Yao

SAVE THE DATE!
October 2, 2014, 9 AM
Room 204, Acton Town Hall
472 Main Street

The Town of Acton is co-sponsoring the launching of a new program MSPP Interface <http://msppinterface.org/> in coordination and cooperation with its partners; the AB schools, ABR PTSO, TADS, and AB United Way. MSPP INTERFACE Referral Service is an initiative of the Massachusetts School of Professional Psychology (MSPP)'s Richard and Joan Freedman Center. The service collects, categorizes and makes available a wide range of critical resources related to mental health and wellness for the benefit of the general public – children, adults and families – as well as educators and mental health professionals.

In addition to maintaining an extensive, frequently updated website listing of available mental health resources by geography and type, MSPP INTERFACE provides a free, confidential mental health and wellness help line Monday through Friday from 9 AM to 5 PM. Callers to the helpline are matched and referred to licensed mental health providers that have the skills to address the callers mental health needs, are geographically convenient, and meet the insurance and specialty needs of the caller. Each referral is provided with follow-up assistance.

Please join us on October 2nd to hear about this new program and how residents of the community can access these services. Thank you.- ----
back to COD...

There was discussion about the process by which COD can express a position on state policies or issues that affect people with disabilities in Acton. We determined that the COD chair should bring any position letters to the BOS (by bringing them to the chair of the BOS by the Wed. noon deadline so the BOS can
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approve it at their next meeting before the COD sends out a letter. Mike noted: doesn't mean BOS will vote on it even though a committee sent something.

[Conversation ensued and Mike Gowing confirmed that the above process is not necessary, Janet expressed concern that a board can express a controversial issue and it sounds like it is Acton and not that board. Katie and Mike contributed; it was pointed out that as long as a board announces the discussion of an issue on their agenda, it is ok for the board to share its opinion publicly, identifying it as a committee, not town, opinion. Mike says if questions, ask.]

Went over variance for Town Hall's temporary offices at 33 Nagog Park.

Set up a meeting with Glenn Brand, School Super. to discuss disability-school issues. Fits BOS goal of strengthening communication and relationship.

Confirmed that any problems people have with the MinuteVan or Council on Aging Van or Road Runner, all dispatched now by CrossTown Connect, should be brought to Doug Halley, Health Director, at dhalley@acton-ma.gov or 978 929 6632 .

Franny will bring a draft of any grant support letter requested of Commission on Disability to a future meeting, such as the upcoming Community Innovation Challenge grant applications being developed with CrossTown Connect.

Metropolitan Area Planning Council, MAPC

Council Vote

My first meeting as member of the council, since being appointed as Acton's rep. We voted almost unanimously for the rise in towns' dues to the MAPC. [It was pointed out that BOS had supported this rise]

State **Regional Coordinating Committee RCC** (transportation) planning meeting with Doug Halley and Andrew Scribner. Planned agenda for Oct. 16 meeting, TBA location and time. Planned a Community Innovation Challenge application that will help seniors with a variable fixed route service between Acton, Maynard, and Emerson, and points passed on that route. Now has two other parts of CrossTown Connect involved, including businesses and senior vans. More details as the application is developed. Due mid Oct.

Economic Development Committee (EDC)- very interesting discussion and presentation by Matthias Rosenfeld, developer of the West Acton Village Ecology project, WAVE. See notes from EDC for more details, and I have my own notes. Matthias identified most important barriers to new vibrant businesses:

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-Sewers

-Signage

-Liquor Licenses

He had good relations with the Town permitting departments and his neighbors.

CrossTown Connect – Friday 19th. at Boxborough Town Hall. Members of Towns and businesses present, as well as Transaction Associates. Doug Halley and Mike Gowing there too. Discussing the legal documents such as Memo of Understanding among members. There was much interest from Devens, which is why it was included on CIC grant, and there is a new subcommittee for the Last Mile shuttle development (getting people to and from the train). The new schedule for the train came suddenly to everyone!

Coalition for Diversity meeting tomorrow at 2 pm at Beth Elohim Synagogue on Prospect St. All are welcome.

Transportation Advisory Committee meets this week, Wed. 7:30 pm. Town Hall.

Minuteman Advisory Group for Interlocal Coordination, MAGIC- deferred to Mike Gowing.

Mr. Gowing: **Historic District Commission (HDC)** – the HDC concluded the public session for Flannery Way successfully and issued a COA. They discussed the possibility of bringing the zoning article to the special town meeting but may not be able to make it in time.

Health Insurance Trust – the trust discussed going to egg whip from RDS what the implications were. This will have to be discussed with the unions during the healthcare discussion.

Safety Net – Fran Spayne has resigned from her position as Family Self Sufficiency Coordinator for the Acton Housing Authority after 22 years. Much thanks to her for helping those in the greatest need.

Cable Advisory board (CAB) - discussion about converting to a digital signal for Comcast (currently it is analog) and what the implications will be for ActonTV and the INET. They also discussed the current resignation of ActonTV executive director.

CrossTown Connect – discussions revolved around operational guidelines and an update on the dispatch project. An overview of the latest CIC grant application for a mobility manager. The MBTA added an outbound train (early) to accommodate reverse commute from Boston. The 1st train will now arrive in Acton at 8:37 AM. And on October 2 we will hold a regional transportation workshop including all of the local RTA's, crosstown connect and the MBTA at Devens sponsored by MAGIC and the Fitchburg line partnership.

ALG – in the early going of ALG most of the focus was on scheduling meetings and who would serve as mediator (Bart, the gentleman who does it for us usually, has many conflicts this year).

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Regional Transportation Advisory Council (RTAC) - I served on a transportation panel that dealt with seniors and people with disabilities. I explained how using the COA vans had not adversely affected transportation for seniors or PWD. 3 other experts were on the panel from Health and Human Services, the executive office of Elder affairs, and the COA director from Lexington. I was nominated for the chairman's position to be voted on in October. The chair has a voting seat at the MPO.

Consent Agenda

Mr. Berry requested to hold consent item 12 due to personal property taxes due, Mr. Berry moved to approve common victualler license upon payment of property taxes, Ms. Green seconded, ALL AYES

Ms. Adachi moved to approve consent items 8-11, 13-21, Ms. Green -second

ALL AYES, UNANIMOUS VOTE

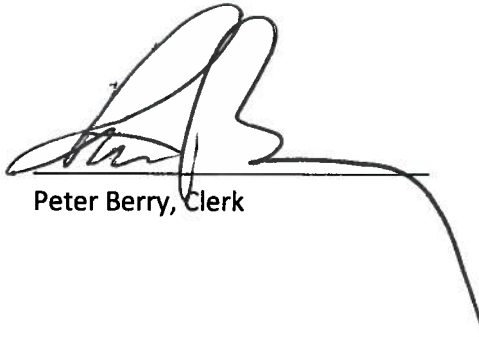
Ms. Green motion to Adjourn, Ms. Adachi - second

Meeting Adjourned at 11:25 PM

Respectfully Submitted,



Lisa Tomyl, Recording Secretary



Peter Berry, Clerk