

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

**February 23, 2015
Francis Faulkner Room 204
Regular Meeting 7:00 PM**

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

Bob Lessard – Wampus Ave. Concerned about the plowing of the walkways at NARA Park. It has not been getting plowed or shoveled – this is an ongoing issue especially for seniors and people that have limited mobility. The parking lot has been icy and dangerous as well. Called highway and was told it is not their job, talked to the Recreation Department and they don't own snow moving equipment, and Cemetery is always plowed. Town Manager Ledoux stated he has authorized the Natural Resources Department to utilize overtime to assist clearing sidewalks, however the priority is with town sidewalks first but it is on the list to be cleaned up.

CHAIRMAN'S UPDATE AND OPERATIONAL UPDATE:

Mr. Gowing – DPW continues to clean up after our record snows. Thank you for your patience during this historic winter, and thanks to the DPW/ Emergency Management efforts in cleanup up and for public safety.

Mr. Ledoux – SMART PAYT forum on March 4th at 7:00 PM. Town Manager will be moderating and Ms. Green will be representing the Board of Selectmen

PUBLIC HEARINGS AND APPOINTMENTS

7:10 p.m. – **The Red Raven Alcohol License Policy Hearing** – Mr. Gowing read the public hearing notice. Representing The Red Raven was Jennifer and John Apazidis, Manager and owners. Chief Widmayer recommended the Selectmen have a hearing regarding one of their employees that was arrested on charges of a DUI on January 1, 2014. This report was submitted by the Alcoholic Beverages Control Commission and distributed to towns for DUI logs and last point of service. Ms. Adachi asked if either of them talked to the employee since finding out the incident – did he leave at 11:30 PM and did he have anything to drink after work on premises. Ms. Apazidis stated that at that time, employees were allowed to have a max of 2 beverages after they punch out of their shift. He is the executive chef, and did have at least one beverage after shift and a champagne toast at midnight. She was unsure if he had another beverage before the champagne toast. Since September, when they were notified of the incident, and have since updated their employee handbook that does not permit employees to have beverages after their shift.

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Ms. Adachi asked did the employee have more than 2 drinks aside from the glass of champagne at midnight – Ms. Apazidis stated she did not know because employees pay cash for their drinks. The Red Raven had a special 1 hour extension to remain open for last call at 12:50 AM. Bartenders are not allowed to overserve peers and have instituted a zero tolerance policy up to including termination for overserving co-workers. They have video surveillance system installed. Mr. Gowing suggested that the owners look into having or offering an Employee Assistance Program for employees that find themselves in issues such as chemical or alcohol dependency or mental health issues in the future.

Ms. Adachi moved to take no action, seconded by Ms. Green – All Ayes.

SELECTMEN'S BUSINESS

Town Manager Review – Mr. Gowing requested the review to be moved to March 9th, no material available at time of meeting.

Review Town Warrant, Assign Articles, and Commence Taking Positions on Articles – The Board and Town Manager discussed the placement of articles for the Town Warrant. Articles were assigned to Board Members, and a draft warrant will be ready for the March 9th meeting and votes for recommendations for each article.

Discussion on Remand Hearing for Walker Realty, Planning Department – Roland Bartl represented the Planning Department. Mr. Bartl commented on what the architects came back with for the remand of the Board of Appeals hearing. They did not reduce the size of the building Open space – town wanted 30%, Walker came back with 21%. Mr. Bartl suggested the Board comment on the building, open space, parking, overall design.

Mr. Gowing expressed that there was not enough information to comment right now. Mr. Berry suggested that the Town Staff work with Walker Realty to decrease the proposed building size to 12,000 square feet, increase open space, and resolve the parking and general design issues.

Selectmen's Reports:

Ms. Adachi: Acton Boxborough Cultural Council – Will meet 2/25. Has completed grant decisions for this year. Discussion will include spring film series, spring reception for grant recipients.

Finance Committee - Will meet tomorrow night. Agenda includes FY16 budget, PAYT/SMART presentation, preparation for Acton Leadership Group on Thursday, and preparation for Town Meeting.

Design Review Board – Met 2/18, same time as Selectmen's rescheduled meeting. Ms. Adachi previously circulated DRB's comments about the latest Walker Realty/Next Generation Daycare plans.

Water Resources Advisory Committee – Will meet 2/25. Ms. Adachi has advised committee that stormwater bylaw article will not be on Town Meeting warrant. 2/25 agenda includes discussion of proposed regulations to implement bylaw, outreach to Town committees and public. Latest revised bylaw draft went to Town Manager last week for review/comments from Town departments and Town Counsel.

Ms. Green: No meetings attended just reminded the public to attend the SMART PAYT forum on March 4th.

Mr. Berry: Housing Authority is installing new heating units at Windsor Green. Grant received through UMASS. The new units appear to be working well and resolved ongoing heating problems. Gthanked the Town for assisting the Housing Authority with sanding, salt and plowing during the storms.

Ms. Osman: Did not have any meetings to attend, but wanted to comment on the great job the DPW has been doing plowing the streets and sidewalks with all the storms recently.

Mr. Gowing: **Cable Advisory Board** – the cable advisory board met and discussed net neutrality as it is proposed in the current FCC hearing. This possible reclassification of ISPs under title II of the Communications Act could have an impact on the INET. There was also the citizens concerns (again) about Verizon removing copper cable and replacing it with fiber unasked. As it turns out, it is for phone service only therefore outside the jurisdiction of the cable advisory board. They will contact the government relations officer to pass on the complaint.

Health Insurance Trust – the trust voted the upcoming rate for the active participants with an increase of 11% across all of the plans. The plan for retirees (Medex) will go down as much as 27% with the adoption of EGWP. As a result, the overall increase will result as 8% – or within our budgeted amount. There was discussion regarding the luxury tax that will affect the Master Health Plus plan next year and a recommendation that this be eliminated from the offerings to minimize the impact. As of today, it would represent an additional \$74,000 that the trust (towns and school) would have to come up with. They will be reviewing several indemnity plans to see if one of them would suit our requirements.

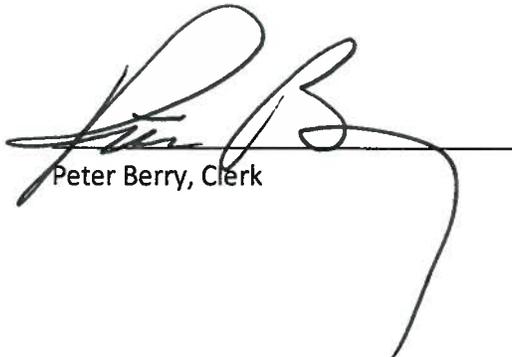
CONSENT AGENDA

Mr. Berry held item 7, noted typo on front page, suggested crossing out the word “Acton” and each Selectmen initial – Ms. Adachi moved to accept item 7, Mr. Berry seconded. All Ayes
Ms. Adachi moved to accept consent items, Mr. Berry seconded. All Ayes

Ms. Green moved to adjourn, Ms. Adachi seconded, All Ayes
Meeting Adjourned at 9:05 PM
Respectfully Submitted,



Lisa Tomyl, Recording Secretary



Peter Berry, Clerk

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