

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

**December 21, 2009
Acton Town Hall
Francis Faulkner Hearing Room
7:00 P.M.**

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

CITIZENS' CONCERNS

None

CHAIRPERSON'S UPDATE

Ms. Knibbe noted that today is the shortest day of the year. The solar panel project is underway at the schools.

OPERATIONAL MINUTE

Mr. Ledoux spoke about the tax rate that was certified today at \$17.21 up from \$16.53, and thanked staff for getting this done.

The damage to the NARA Park has been estimated at approximately \$35,000 damage. The Police have found the alleged perpetrator and are ready to file a complaint in this regard.

TOWN MANAGER BUDGET PRESENTATION

Mr. Ledoux noted that that he was presenting his second Budget as Town Manager. Mr. Ledoux discussed the downturn in the economy and described how it impacts the town budget. As requested by the ALG Mr. Ledoux presented two budgets. The first budget includes the cuts necessary to hold the increase in the budget down to 3%. The 2nd version of the budget includes the cuts necessary to have a budget that does not increase from last year.

Mr. Gowing asked if these Budget support increasing the senior work program. Mr. Berry agreed with Steve about the difficult financial times. It is unfortunately necessary for us to cut services this year.

Ms. Friedrichs asked if the Fincom cost saving suggestions were in the budget. Many of the suggestions are already being implemented and are included in the budget but the task force is still working on developing business cases for some high priority items so these are not yet reflected in the budget.

PUBLIC HEARINGS & APPOINTMENTS

SELECTMEN'S BUSINESS

SELECTMEN'S REPORTS

Ms. Rosenzweig reported on the committees she observes. WRAC has developed the proposed storm water bylaw and it is ready for review. WRAC will bring the bylaw to the relevant boards who address storm water so that people are familiar with the bylaw being proposed for the Town Meeting to vote on, and to get input and answer any questions.

DRB met and they are still looking at plans for the future. Kelley's corner Open Neighborhood presented to Planning Board and will be getting an award from the State Cultural Council

Lauren met with Ryan Bettz Chairman of the Planning Board. Planning will be taking the lead on the Comprehensive Community Plan. The Planning Board will organize and manage a citizen task force to work on the next phase of the Comprehensive Community Plan. WANTSent out the neighborhood survey. All responses will be confidential.

Mr. Berry talked about Health Insurance Trust.

South Acton Train Station has set objectives to achieve a design that is more acceptable to the neighborhood. This will be discussed later on in this meeting.

Ms. Knibbe spoke about the stretch code The GAB will organize a public hearing in this room on February 1st to present information about the stretch code and answer questions from the public.

Ms. Knibbe spoke about Sidewalks. The sidewalk committee will attend the BoS meeting in January to update the board on their recommendations for the next set of sidewalks.

Mr. Gowing discussed COA language for the warrant article. Recreation member Ron Shlegel has resigned. He is still representing the commission on the CPC.

Ms. Friedrichs reported on the Powder House and she asked whether or not CPC monies can be used to move the house from one Leo location to another Leo held location. Answer: this question needs to be asked of the CPA committee.

ALG/BUDGET DISCUSSION

Ms. Knibbe discussed the reports from the Fincom and ALG discussions. With regard to the carve out memo she would suggest most of it was collective bargaining, and we cannot comment on the Fincom's memo at this time because of union negotiations.

ALG discussed school budget and what they need to do to get to 3% and 0% and they are looking at substantial layoffs of School staff at 0%. They discussed school debt that needs to be covered and discussed ways to do that and effects on the Budget and they need to resolve

Ms. Friedrichs noted we are using the reserves. She thinks it is a mistake and should not be included in revenues.

Mr. Gowing would like to fully thank the Fincom for the point of view document

Mr. Berry felt that we have a very well run town. .

ANNUAL TOWN MEETING WARRANT ARTICLE LIST

Ms. Knibbe said they would go over the list of proposed warrant articles.

Ms. Rosenzweig requested an article in the Warrant to ask Town Meeting to adopt legislation that would pay town employees who served in Iraq or Afghanistan the difference between their military pay and the base pay they would have received as a town employee for the time that they served. Ms. Knibbe noted that we need to include the Citizen petition for West Acton that was submitted to the town last spring.

Ms. Rosenzweig – Moved to add these two items to the Warrant and approve the warrant as proposed. Ms. Friedrichs –second. UNANIMOUS VOTE

. Ms. Knibbe moved to close the Warrant for the 2010 Town Meeting at the conclusion of this meeting. Mr. Berry – second. 4-1 motion passes. Ms. Friedrichs – no.

Bob Evans asked about unspent money from last town meeting and asked if they are going to get a vote to rescind the money. It was noted that article monies can be held for up to three years and can be returned at any time. Ms. Knibbe noted that Mr. Ledoux had gone through previous warrant articles searching for unspent fund which were returned to free cash as part of the closeout of FY09.

CABLE TV LICENSE RENEWAL

Chairman Knibbe read the notice of the public hearing,

Mr. Gowing introduced the people at the table. John Covert, Tim Kelly, Senior Manager Comcast. Mr. Solomon, Brendan Hearn.

Mr. Solomon thanked Tim Kelly for the civilized negotiations.

Mr. Solomon outlined the negotiated agreement license.

Ms. Freidrichs asked several questions about sharing of the information off of the Senior Discount Application. She was very concerned about sharing of these applications. She wanted an extra warranty that people's private issues are kept private.

Ms. Knibbe asked about expansion of the space used at the school. They will be staffed on January 4th and reach an agreement with regards to timing.

Bob Ingram asked about the income requirement to get the senior discount of \$2.00 per month.

Mr. Gowing - Moved to accept the renewal cable contract. Ms. Rosenzweig - second. 4-1 motion passes - Ms. Friedrichs, Abstain due to Lack of information

FUNDING FOR ACAT

Mr. Gowing Moved to authorize the Town Manager to advance monies from the PEG funds to Acton Cable Access Television (ACAT)(Not to exceed \$60,000) until they have developed a memo of understanding outlining detailed responsibilities for the Town and ACAT (not beyond Jan 31, 2010) Ms. Friedrichs - second UNANIMOUS VOTE

SOUTH ACTON TRAIN STATION RECOMMENDATIONS

Mr. Berry discussed the town pursuing the dual platform design as apposed to the T's plan. The Committee has continued to work on this and the committee needs to have the Board support to maintain the existing station and possible expansion of the lot, gain access from the south side of the tracks, eliminate the Assabet River Rail trail bridge and ramp system, maintain the elevators in the station, providing an increased police presence, surveillance cameras, commissioning a traffic study to determine the impact of the double platforms as it affects streets and neighborhoods in that location. Ms. Friedrichs – Moved to send a letter to the T. Ms. Rosenzweig – second. UNANIMOUS VOTE.

Ms. Knibbe asked Mr. Berry to emphasize in the letter to the T that the board is interested in supporting the alternate design but not to state that we have committed to doing so. She is concerned about committing to something without having a better understanding of the costs involved. Ms. Rosenzweig - second. Unanimous vote

ACTON COMMUNITY HOUSING CORPORATION (Housing Needs)

Mr. Berry spoke about the request for \$5,000 from ACHC non restricted funds which are made up of discretionary funds which can be used to support low income residents of Acton who are facing issues of eviction and unpaid utility bills and other issues that may cause a family to lose their home. It will be administered by the Community Services Coordinator.

Ms. Rosenzweig – Moved to approve up to \$5,000 for this purpose and to accept an immediate gift to this fund of \$2,500. Mr. Berry - second UNANIMOUS VOTE

BOY SCOUT OF HONOR COURTS

Mr. Gowing will attend the Crumlish Courts of honor

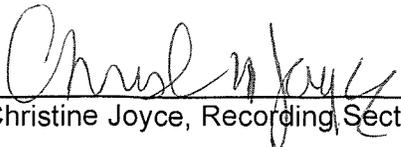
OTHER BUSINESS

CONSENT

15 hold / Ms. Friedrichs

Ms. Rosenzweig – Moved to accept the consent minus #15. Mr. Berry – second. UNANIMOUS VOTE.

Item 15 was discussed. Ms. Rosenzweig explained the request is for subdividing the parcel to give them one more lot, that would already be allowed as an approval not required lot under state law. Roland noted if they move forward they will have to come to the BOS for a site plan. The original site plan said that no further subdivision could occur and that they needed to notify the BOS under the original Site plan. Ms. Rosenzweig - Moved to approve the subdivision for an ANR at 45 Nagog Drive. Mr. Berry - second. -4-1 Ms. Friedrichs, Abstaining due to Lack of information. Motion passed.


Christine Joyce, Recording Secty


Clerk
Date: 1/25/10