



BOARD OF SELECTMEN

Meeting Minutes

Tuesday, May 26, 2020

6:00 PM

Virtual Meeting

Present: Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin, Town Manager
John S. Mangiaratti

Absent: None

Ms. Gardner called the meeting to order at 6:00 PM via a virtual meeting with no Board members in physical attendance and broadcasted via Zoom.us virtual meeting platform.

I. Regular Business

1. Citizen Concerns

Terra Friedrichs, West Acton – questioned if the public will be able to speak on the topics of Housing Production Plan, revised warrant articles, rental assistance program, and local business relief.

Linda Vieira – concerned about Town Meeting setup, seems town is doing the best they can under circumstances and concerned people won't participate due to child care and closed environment.

Barry Rosen, questioned if Town Meeting could be held outdoors instead of indoors. Board considered holding outdoors during the day with a number of logistical concerns such as direct sunlight, and insects during the dusk.

2. Chair Update/Town Manager Update

Mr. Mangiaratti mentioned that he will provide updates at a later portion of agenda as most items are COVID-19 related.

Ms. Gardner congratulated James McRae and Gail Sawyer for the Memorial Day virtual celebration, and Marc Duci from Acton TV.

II. New/Special Business

3. Board to Discuss Results of Independent Investigation of January 9, 2020 Incident at Merriam School

Mr. Berry briefed the Board regarding the events that took place on January 9th. There was question if racial bias was a concern, so the Board retained an independent attorney Natashia Tidwell to review the case and report to the Board the findings of her investigation. Ms. Tidwell reported to the Board her findings, which was no findings of racial bias or violations in policy and procedure. Mr. Berry commented on the January, 30 Community Conversation meeting regarding the January 9th incident. Mr. Mangiaratti updated the Board regarding actions being taken on diversity and inclusion with town staff, including a 2018 training regarding understanding Asian culture, and recently in 2019 regarding racial bias, and plan to have yearly training on the subject being a welcome environment. Mr. Martin commented on 2 items – mother was arrested and led



out in handcuffs, and would like to see in future if person not a threat be escorted out of the building, and the mother had no advocate – would like to see policy and procedure put in place that for future parents have an advocate on site either school or police Department. Mr. Charter questioned if the report would have any effect on the officers involved and their careers in Acton. Chief Burrows believes that he officers will be satisfied with the report findings.

Jennifer Park, (no address given) – questioned about any communication between the mother and child for the investigation, interviews were conducted with Police, Fire and School officials, questioned about incident command policies in place for similar situations at the school.

Terra Friedrichs, West Acton – commented about a concern that the special counsel is contracted with the town, and that the town has an interest regarding the findings.

4. Housing Production Plan Discussion and Vote

Mr. Benson moves the Board of Selectmen formally adopt the Housing Production Plan dated May 19, 2020 together with the Appendix containing all comments received and disposition of those comments, MR. Martin seconds. MR. Charter called roll:

Mr. Berry – aye

Mr. Martin – aye

Mr. Benson – aye

Ms. Gardner – aye

Mr. Charter – nay

The Board voted 4-1, the motion carries.

The HPP will be submitted to the Massachusetts Department of Housing and Community Development for its review and approval. The extended timeline for the citizen comment period saw the addition of 246 comments. Considerable support was expressed for reuse and rehabilitation of existing properties to meet affordable housing needs. Shared housing goals emerged, notably affordable senior and disabled housing, adult group housing and downsized housing for those longtime residents 55 and older who wish to remain in Acton. Critical to last night's conversation was the recognition what the HPP is and what the HPP is not. It is a document updated every five years to inform the DHCD of Acton's progress towards achieving the 10% Chapter 40B affordable housing threshold and the steps the town is taking to reach it. (It is the DHCD that grants 40B safe harbors, like the two year safe harbor Acton is now in.) The document is both aspirational and practical. Important to note is the DHCD will not hold Acton to the strategies identified in the Plan. What the HPP is not is a new zoning bylaw, a regulation or a commitment on the Town's part.

Terra Freidrichs, West Acton commented on the final draft.

5. Approval of the North Acton Fire Station Project

Where a site plan special permit is not required for municipal projects pursuant to Acton Zoning Bylaw Section 3, but the North Acton Fire Station Design Team sought sit plan review for that project from the Board of Selectmen, **Mr. Charter moves that the Board generally approve the site plan presented to this Board on May 12, 2020, and direct**



the design team to continue to work with Town Planning Staff to obtain all necessary approvals required for issuance of a building permit for that project, Mr. Benson seconds. Mr. Charter called roll:

Mr. Berry – aye

Mr. Martin – aye

Mr. Benson – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

6. Review Revised Warrant Articles for the June 29, 2020 Annual Town Meeting
Mr. Mangiaratti updated the Board after discussion last week and decreased the warrant to 30 articles and several on consent. 3 School Street Article and Article 10 consumption of alcohol on town properties to remain on warrant (article 10 to be on consent). Board requested the Town Manager to work with the Citizen Petitions regarding postponing the articles to the next Town Meeting. The Town Moderator will devise an entrance and exit plan for pre-town meeting and post town meeting.
7. Updates and Discussion Regarding COVID-19 Pandemic
Mr. Mangiaratti updated the Board regarding the phase 1 opening that started yesterday, NARA Park opening with restrictions in place. BOH meets this week. Working on plans for Town Hall re-opening.
8. Review Proposed Rental Assistance Program
Mr. Mangiaratti informed the Board there is \$50,000 in rental assistance available and ranging from \$350 - \$800 per month for Acton residents demonstrating lost income due to COVID-19 through the Regional Housing Services Office through CARES Act funding (for 4 months). **Mr. Berry moves to commit \$50,000 from the CARES Fund to retain RHSO to run a rental assistance program that constitutes a public purpose, Mr. Benson seconds. Mr. Charter called roll:**
Mr. Berry – aye
Mr. Benson – aye
Mr. Martin – aye
Ms. Gardner – aye
Mr. Charter – aye
The Board voted 5-0, the motion carries.
9. Discuss Local Business Relief
Mr. Mangiaratti informed the Board that there is a total \$100,000 in grants available up to \$4000 per business for relief to small Acton businesses to meet operational expenses to preserve payroll not covered by other federal programs
John Raguin, owner of Hit the Net Sports, requests Board to allow more money since many businesses are on the verge of shutting down. Requests to get the applications out immediately, need more money allocated and suggest the Board meet more frequently to get this program running quickly.



Ray Yacoub, Koko Fitness – PPE only covered 25% towards rent, which is 90% of the owner's expense. Requests Board push the application process.

Mr. Charter moves the Board of Selectmen approve the sum of \$75,000 to start a business relief program which we feel is necessary and provides a public purpose to deal with the COVID-19 issue, Mr. Benson requests to amend total amount to \$100,000, Mr. Martin seconds. Mr. Charter called roll:

Mr. Benson – aye

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

Mr. Mangiaratti proposed another program to assist local business regarding additional retail space to allow them dining and retail use of parking spaces, sidewalk, and grass to be done in a safe way with a quick review from the Land Use Division.

Mr. Charter moves to authorize the Town Manager to work with Town staff to relax zoning requirement the use of outside space with existing businesses, Mr. Martin seconds and requests to amend the motion to include “during the COVID-19 emergency” . Mr. Charter called roll:

Mr. Benson – aye

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries

10. Consider Recommended Revisions to the FY 2021 Budget

The Selectmen approved the Town Manager's revised FY21 budget, which includes a reduction in the increase of municipal spending over FY20 from 2.94% to 2.34%.

Mr. Martin moves to change the FY21 Budget from what was approved in March to level fund revenue sources and reduce capital by \$215,000, Mr. Benson seconds.

Mr. Charter called roll:

Mr. Benson – aye

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

III. Consent Items

None

Mr. Martin moves to adjourn, Mr. Charter seconds. Mr. Charter called roll:

Mr. Benson – aye



Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries. Meeting adjourned at 9:42 PM.

Documents and Exhibits Used During this Meeting

- Agenda, May 26, 2020
- COVID-19 Operational Update, May 26, 2020
- External Investigation Cover Memo
- Acton Police Investigation Executive Summary
- Acton Housing Production Plan Redline Version, May 19, 2020
- Acton Housing Production Plan Public Comment Revision, Clean Copy with Appendix, May 19, 2020
- North Acton Fire Station Plan Memo, May 22, 2020
- Draft Annual Town Meeting Warrant for June 29, 2020