



SELECT BOARD AND SEWER COMMISSIONERS

Meeting Minutes

Monday, May 9, 2022

7:00 PM

Room 204, Acton Town Hall and Virtual

472 Main Street

Present: David Martin, Dean Charter, Jim Snyder-Grant, Fran Arsenault, Himaja Nagireddy, Town Manager John S. Mangiaratti, and Assistant Town Manager Mark Hald

Absent: None

Mr. Martin called the meeting to order at 7:01 PM.

I. Regular Business

1. Resident Concerns

Martin Benson, 21 Deacon Hunt Drive – read from a prepared statement which is included in the meeting packet directed to Mr. Martin regarding his response at a previous meeting of the Select Board and the DEIC and feels he does not practice honest leadership.

Franny Osman, 16 Half Moon Hill – concerned about decrease in transportation runs due to staffing issues being down one driver, and dispatch should be sending calls to the taxi program which is ending shortly, and encourages the new Uber program beginning in the next fiscal year. Encouraged the Town to offer language interpretation at next year's Town Meeting. Noted that this year, Housing and Climate Justice for Acton funded headset technology and Chinese interpretation and spent \$520 for the Town Meeting. Hopes that the Town will learn from this experience, including possibly buying the technology instead of renting it so it would be available easily for other events, possibly partnering with United Way and League of Women voters on the costs. Also hoped that that the Town would consider a partial reimbursement of the expenses for this year's interpretation services,

2. Chair Update/Town Manager Update/Members Minutes

Mr. Martin noted the School Committee announced a student-led process proposing the new mascot name, “The Revolution,” on which the School Committee will be taking a final vote at next meeting. Several Board members attended a tour of the Haartz Corporation which has been operating in the town for the past 100 years.

Mr. Mangiaratti thanks town employees that assisted the IT Department with testing and checking the 2000 iClickers with having only two devices that did not work. The Memorial Day parade will be held on May 31 and described the proposed route.

Mr. Charter announced that members of the DPW Facility Study Committee and the Town Manager toured the new Westford DPW building and gave some ideas for replacing the Acton DPW building. Caroll Spinney will be having a street named after him located at the current “Community Way” location, and noted that there is a



great exhibit placed in the solarium at the Memorial Library today and thanked Toni Norton for the exhibit.

Ms. Arsenault thanked the Town Manager sitting in on an online session sponsored by the UMass Collins Center for Public Management that gave the community the opportunity to provide input for hiring a Diversity Officer.

Ms. Nagireddy addressed citizen concerns regarding the Cross Town Connect and how to assist, Mr. Mangiaratti confirmed it is being addressed through the Transportation Coordinator.

Mr. Snyder-Grant thanked staff for list of 20 people that joined committees within the past year and gaining more volunteers than losing members.

Public Hearings

3. Site Plan Special Permit #3/18/2022-484, 42 Knox Trail

Representing the developer is Troy Anther and Rob Levesque from Levesque Associates that build stone walls for the past twenty years and is looking to build a new facility as the company is currently working outdoors. Mr. Levesque showed the Board the current location of the existing building and planning on splitting the parcel in half, from the portion that is outside to constructing a structure on the parcel to have construction and storage inside. The building would be a metal structure. Mr. Levesque addressed several comments from town staff regarding sidewalk installation and that the Board has the option to waive the sidewalk installation in exchange for a monetary donation in the amount of \$20,045 to the sidewalk gift fund. There are currently no sidewalks installed on Knox Trail. The Board of Health would like the septic system plans to be submitted, reviewed and approved before construction, and is looking for the Board to consider approving the plans before having the septic installed. GPI, an engineering firm that reviews site plans, feels an earth disturbance permit will be required after review of the plans. The petitioner requested a peer review on traffic counts instead of being required for a full traffic study. Kaila Sauer from the Planning Division noted a discrepancy for the floor area ratio. The Planning Division would not recommend approving the application in its current form until the outstanding issues are resolved. Mr. Snyder-Grant requested how the operation works when customers show up and if they come to the physical location, and if it is a single long shift operation for employees. Currently the facility is for employees only, and shifts are regular business hours. Knox Trail is a one-way street with traffic arriving around 6-7 AM and have trucks leaving the facility once or twice a day. Mr. Snyder-Grant noted that easement marked on the site map, and wondered if it was the easement discussed years ago that could provide an alternate entrance to the WR Grace site. Mr. Anther will confirm with the attorney for the property owner. Mr. Snyder-Grant asked Planning what the process for the land disturbance permit is. No answer at this time.

Ms. Nagireddy questioned about the goal of funding sidewalks and if it would be something to be considered when the hearing returns to the Board, and questioned



about their choice of water treatment regarding PFAS. The owner personally treats the water as best as possible with the abutter's responsibility of the contamination. Mr. Charter agrees it does not make sense to install a sidewalk at the location but would like to consider the monetary contribution to the sidewalk fund with upcoming planned projects locally. Mr. Anther would like to re-evaluate the price that would be what would cost them to install the sidewalk vs. \$50/linear foot.

No questions from the public.

Mr. Martin reviewed the Board would waive the sidewalk requirement for a donation, no comments about septic system aside from the Board of Health requirements, and accepting the trip generation not a requirement, and Planning would consult with a peer review. Mr. Snyder-Grant requested to see the technical review at a future meeting and the situation with the easement access. **Ms. Arsenault moved, seconded by Mr. Charter to agree to a time extension to May 23, 2022 at 7:40 PM and approved unanimously.**

New/Special Business

4. Discuss Annual Town Meeting and Consider Article Recommendations

Mr. Mangiaratti updated the Board on several articles to review for consideration of recommendation. Currently articles 23 and 26 may be finalized for consideration of the Board at Town Meeting. Articles 24 and 25 were skipped over. **Mr. Charter moved, seconded by Ms. Arsenault to recommend article 23, and Mr. Charter moved, seconded by Mr. Snyder-Grant to recommend article 26 and approved unanimously.**

Mr. Martin requested to discuss articles 42 and 43 simultaneously. Mr. Snyder-Grant commented on how the history of the PCRC have been controversial, and if the town makes it more restrictive, and how the change would impact the number of units allowed, and feels that the Board should recommend them. Mr. Charter would recommend against the articles, and feels the Planning Board and Planning Department should discuss further since the Planning Board did not recommend the articles.

Mr. Charter moved, seconded by Mr. Martin to not recommend article 42 and voted 2 aye, 1 nay (Snyder-Grant), 2 abstain (Nagireddy and Arsenault). The motion carries.

Mr. Charter moved, seconded by Mr. Martin to not recommend article 43. Mr. Snyder-Grant requested comment from other Board members before a final vote. Mr. Mangiaratti noted that the Planning staff and Planning Board did not recommend the article. Mr. Snyder-Grant noted the PCRC Bylaw is complex, but if passed there would be a reduction of developmental availability, but would like to have more public comment, and education. Mr. Charter noted several issues regarding the proposal and change to the PCRC Bylaw and mentioned several concerns including the long-term environmental impact. **and voted 3-2 (Snyder-Grant and Nagireddy) to not recommend. The motion carries.**



The DRB wrote a letter of support for article 54. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault and voted 4-0-1 (4 aye, 1 abstain Charter)**

Mr. Martin noted the Board may meet prior to Town Meeting at 6:00 to discuss warrant articles.

Ms. Nagireddy noted that WRAC discussed codifying commitment protecting potable water for future projects and the Board voting on no recommendation on article 53. Mr. Charter expressed concern about the wording in the article language that would promote and discourage new water usage. Mr. Snyder-Grant commented on the articles where the Board was split with their vote where he was assigned to discuss at Town meeting.

5. Update on ARPA Projects

Mr. Mangiaratti updated the Board on projects the Board approved for FY22 and FY23. Many of the projects approved for FY22 will not be completed in FY22. The Town has pulled \$1.4 million in purchase orders, for grants for businesses for energy efficiency improvements, the acquisition of the Mustang Mach E for the Police Department, the Gardner Field equipment has arrived, COVID mitigation measures, administration costs, the Great Road project moving forward, the sub-recipients for the School District and Water District, and the Nagog Treatment facility entity paperwork is to be finalized.

6. Sewer Commmissioner Items

- Update on Proposed Acton Housing Authority Sewer Commission and Proposed MassWorks Grant Application

Through the Housing Choice Grant, plans have started on the design the Housing Authority sewer project on Main Street with an overview on the project from Town Engineer QinRui Pang. Qin has been working closely with GPI and is about 60% completed. Should be expecting 90% design completion by the end of the month as well as MassDOT. Mr. Martin questioned if the connection would go under the road or under the bridge. The pump station would be located on the parcel next to Route 2, and would have the capacity to connect the Public Safety Facility and the residential parcel across from the project, but the current purpose is to design and develop sewer connection for the AHA project.

Mr. Mangiarati announced the One Stop program application and discussed that the application would include the cost of \$1.5 million and instead of submitting two applications between the town and the AHA it would all be included in one application submitted by the town. The AHA project is considered a private grant and also considered a public structure. Kelley Cronin, AHA Director updated the Board regarding the application they submitted, and that the applications compete against each other, and suggested that the town submit the application as a joint application.

Alissa Nicol, School Street- concerned about the sewer connection due to 41 units in the AHA project and concerned about 271 units within the sewer district and capacity, and noted that the project was designed with a septic system and encouraged the Board to not allow it.



Clare Siska – questioned the location of the pump station at 348 Main street and would like to see how it would incorporate with the dog park design, and what the time frame is when the grant applications are due, and when the grants would be awarded. Mr. Mangiaratti noted the awarding would take place around September. The location of the pump station would depend on the 90% design.

Terra, West Acton – concern of lack of oversight committee to oversee the Select Board and Sewer Commissioners, and concern on the ongoing financial cost, and urges the Select Board to table the plans.

Mr. Snyder-Grant noted the septic plan is to know where it would go, but is more costly. The sewer plan has more unknowns and relying on the MassWorks grant.

Mr. Charter moved, seconded by Mr. Snyder-Grant to move forward with the MassWorks Grant and voted 4-0-1 (Nagireddy abstain)

- Update on Treatment Plant Rehabilitation Project
Mr. Mangiaratti updated the Board with Jack Troidl from Woodard and Curran and just opened bids for the project and need approval from DEP to restructure the project, the costs that came in was much higher than anticipated due to waste water marked have skyrocketed within the last 12 months due to lack of staffing and fuel costs. Mr. Troidl is looking for scaling back the project by 2 months.
- Consider Feasibility Study for Adding Another Rapid Infiltration Basin to the Adams Street Site
Mr. Mangiaratti updated the Board about what can be done to increase rapid filtration basins by adding more to the Adams Street site. The proposal is to conduct some geotechnical studies to provide additional supply on the Adams Street site. There is funding in a gift account from the mid-1990's from the Mill project for \$160,000 remaining and a good use of the funding to identify how much could be added to the site.
Alissa Nicol, School Street – supports the idea of the increasing capacity, however unsure of MassDEP approving the plan for the increase in discharge, concerned that sewer costs for future hookups and residents currently in the districts that rates would not go down compared to recent comments.
Terra, West Acton – questioned what money can be returned to residents connected to the sewer, and that the Board tables the study and more financial analysis.

Mr. Charter moved, and seconded by Mr. Snyder-Grant to approve the feasibility Study on Adams Street and unanimously approved.

7. Update on the Proposed Acton Concord Regional Emergency Communications Center (RECC)

Mr. Mangiaratti updated the Board on the update on the proposed RECC combining Concord and Acton public safety dispatch and meeting this week with the Board of



Directors. There is a need to hire an Executive Director, and would be a District Director. The grant funded the Executive Director position will be part of the \$900,000 awarded from the State.. Looking at the end of Fall 2023 for the transition. The Police and Fire Chiefs are very supportive of the project. Applied for additional funding for FY23 to build out the dispatch center at the Acton PSF pertaining to IT materials and upgrades to the equipment.

II. Consent Items

Mr. Snyder-Grant held consent item 10. Mr. Martin allowed comments from the public. Terra Friedrichs for the grant about public safety and what it would be used for such as facial recognition and people from vulnerable communities. Mr. Martin noted the grant in question is about the traffic safety grant. Mr. Mangiaratti explained it is a grant applied for target enforcement for speeding, and traffic enforcement for areas of high concern of speeding. The grant is about education and enforcement and not geared towards giving out tickets. No additional equipment is being purchased.

Mr. Charter moved, and seconded by Mr. Snyder-Grant to approve consent items 8, 9, 11-23 inclusive and approved unanimously. Ms. Arsenault moved, seconded by Mr. Charter to approve consent item 10 and approved unanimously.

Ms. Nagireddy moved, seconded by Ms. Arsenault to adjourn and approved unanimously. Meeting adjourned at 10:10 PM.

Documents and Exhibits Used During this Meeting

- Agenda, May 9, 2022
- Site Plan Special Permit #3/18/2022-484, 42 Knox Trail
- Main Street Comprehensive Permit Flow Member, Engineering Division Dated May 5, 2022
- Town of Acton Feasibility Study Final 2021
- Acton Housing Authority MassWorks Application Memo Dated May 3, 2022
- MassDEP Letter Acton Middle Fort Pond Brook WWTF Rehabilitation Dated May 5, 2022
- Meeting Minutes, April 4 and 15, 2022
- Executive Session Minutes, April 15, 2022
- Grant Award Memo Dated May 9, 2022
- Accept Gift Memo from Planning Division Dated March 30, 2022
- Email from Dean Charter for Committee Appointment for Alissa Nicol dated April 27, 2022
- MVP Grant Application Letter of Support dated May 9, 2022
- One Day Alcoholic Beverage License, League of Women Voters
- One Day Alcoholic Beverage License., District 14 Freemasons
- One Day Alcoholic Beverage License, Chantal Kuhn



- Multiple One Day Alcoholic Beverage License Application, Boston Events
- Accept Gift Memo from Recreation Department for Sorrento's Pizza dated April 28, 2022
- Accept Gift Memo from Recreation Department for Middlesex Savings Bank dated April 25, 2022
- Accept Gift Memo from Recreation Department from Joseph Perry Plumbing dated April 25, 2022
- Accept Gift Memo from Recreation Department from Adesa Concord dated April 21, 2022
- Acton Dog Park Committee Revised Charge
- One Day Alcoholic Beverage License, Powerhouse Café and Catering