



SELECT BOARD  
MEETING MINUTES

JUNE 5, 2023

7:00 PM

ACTON TOWN HALL, ROOM 204  
472 MAIN STREET AND VIRTUAL MEETING

Present: Jim Snyder-Grant, Fran Arsenault, Dean Charter, David Martin, Alissa Nicol, and Town Manager John S. Mangiaratti

**I. Regular Business**

1. Resident Concerns

Madeline Cruz, Sachem Way – noted warrant articles that passed at town meeting and to consider the non-binding articles when discussing goal setting.

Martin Benson, Deacon Hunt Drive – requested the Chair to reconsider a 2-minute time limit for public comment and feels it does not allow all views to be heard. Commented on a public comment expressed by a resident at a previous meeting regarding an upcoming drag show whose views of not supporting the event, and felt opposition from supporters of the proposed drag show event.

Nijan Datar, Windcliff Drive – suggested changing the start day of the Town Meeting from a Monday to a Sunday noon start to allow for more time on day one with important business and day two for consent items.

2. Chair Update/Town Manager Update/Members Minutes

Mr. Snyder-Grant commented on the Memorial Day Ceremonies with all five members in attendance. Noted that there were six people attending online and four in person. Announced that at a future meeting, there will be a discussion on the proposed expansion of jet runways and hangars at Hanscom Airfield.

Discussed with the Town Manager regarding responding to emails from the public. Encouraged to have Board members remind the chair to note items that he will look into and to check back if emails have gone unanswered.

Mr. Mangiaratti announced the Police Chief was sworn in.

Ms. Nicol congratulates awardees with MWCOC representing Acton. Library hours will be switching to summer hours of operation.

Mr. Martin noted that the town has an energy coaching program under Energize Acton in conjunction with Abode. The link for the description of the program is: <https://abodeem.com/homeowners/community-programs/acton/> and the link to the form to request a coaching session is:

<https://docs.google.com/forms/d/e/1FAIpQLSd8M7kCspF-wCRWuTD5ZjtYv52bKW33DZvuxVISncgNoU37BA/viewform>

Ms. Arsenault noted the Human Services Committee is seeking new members with the recent departure of several members.

Mr. Charter noted the Community Preservation Committee has sent out the funding approval letters. The 250 Committee has a few more days to submit logos, the 250 Committee History Subcommittee is lining up speakers planned for early September.

## **II. New Business**

### **3. Update on Regional Housing Services Office and Approve Intermunicipal Agreement**

Mr. Mangiaratti introduced Liz Rust, President of the RHO. Ms. Rust presented to the Board the RHO Update. The IMA is a three-year agreement, with Natick being the 10<sup>th</sup> community added to the RHO. Ms. Nicol thanked RHO for the critical services provided by the office and questioned how the workshops offered to the communities is billed, Ms. Rust noted it is billed to all communities for about 30 hours per each community. Questioned how the town saves money regionally through the RHO office versus hiring a consultant paying the 40K, Ms. Rust noted the expertise and skills of the staff in the office and the increase of the rate per hour. Mr. Mangiaratti noted the town is working with RHO for tenant support and plan to have a pilot program rolling out in the summer.

**Ms. Nicol moved, seconded by Ms. Arsenault the Town of Acton approve the IMA for RHO and authorize the TM to execute the agreement and approved unanimously.**

### **4. Sewer Commissioner Business – Approve Sewer Rates for FY24**

Mr. Mangiaratti introduced Ellie Anderson, Finance Solution Analyst who gave an overview on how the proposed rates were calculated which are the product of the sewer enterprise fund. The operating cost is driven by energy cost, chemical and sludge disposal. The recommendation is to approve three different rates split between residential, commercial and school. Ms. Nicol questioned about the operating cost being equal to revenue. Mr. Martin noted for big capital programs the town borrows for funding purposes.

**Mr. Snyder-Grant moved, seconded by Mr. Martin to approve the FY2024 sewer rates as presented and approved unanimously.**

### **5. Public Shade Tree Removal, 87 Hayward Road**

Mr. Mangiaratti noted if a public shade tree removal hearing has an objection, it must go before the Board. Mr. Charter recused his involvement as a member of the Board as a direct abutter to the property and will be speaking as a resident during public comment.. Tree Warden Ryan Hunt updated the Board with the property owner listed as a plan for the removal of four Oak trees and the plan for replacements. The plan was approved by the Tree Warden and the Planning Board. Ms. Nicol noted the public shade tree policy and questioned the Planning Board's decision to replace only 66 inches rather than 182 inches per tree and questioned according to the tree removal policy why a tree less than 5 inches in

diameter is not significant for removal but a tree three inches is acceptable to plant. Mr. Hunt noted that the property owner is creating a 1:1 replacement and wasn't required to come to the town but wanted to work with the town to help beautify Hayward Road. The property owner is willing to replace with 22 new trees. Dean Charter, Charter Road – agrees with the tree warden and looks at this as a civic beautification project which is part of the public shade tree policy, and sees it more of a donation to the town. Mr. Snyder-Grant sees it as a civic beautification project.

**Mr. Martin moved, seconded by Ms. Nicol to approve the removal of the 4 trees as requested by the tree warden on Hayward Road and approved 4-0-1(Charter abstain).**

6. Review Results of 2023 Annual Town Meeting

Mr. Snyder-Grant outlined how the topic will be discussed. Article 11 was postponed indefinitely and Ms. Nicol commented on the next steps regarding the responsibilities of the Trustees of the West Acton Citizen Library the previous Board recommended the staff report to the Memorial Library Director and that to have the amended general bylaw come back at a future Town Meeting and to bring it back to the Select Board. Mr. Martin noted the Board never discussed the issue of the bylaw only in part of selecting the new Trustees. Mr. Charter agrees with having further conversations on the topic of amending the general bylaw. Mr. Snyder-Grant noted the Board will continue to work on the General Bylaw and what next steps will be and when to bring it back to the Board at a later date. Article 14 was postponed indefinitely and Mr. Martin noted the amendment passed by 4 votes at Town Meeting, noting the members of the South Acton Church would lose parking as well as tenants at Exchange Hall, even though the parking lot is maintained by revenue from commuter parking for the train station. Mr. Martin does not feel any other proposals will come through, possibly considering non-profit group's proposals, but doesn't contain the revitalization that multi-use housing with a commercial component. Mr. Mangiaratti noted that the parcel is within the MBTA Housing zoning requirement area. He suggests the next step would be to see how the zoning requirements turn into and revisit at a later date and see if the Board wants to continue pursuing the property along with the 19 Maple Street property. Mr. Charter noted the owner of 9 School Street parcel approached him to note the parcel is currently on the market. The two antique fire trucks need a more permanent home and could be housed at 3 School Street. Would support neighborhood and the church regarding parking at 13 School Street but hesitates for a for-profit business at Exchange Hall, and supports pushing School Street and moving onto Maple Street. Ms. Nicol supports housing the fire trucks at 3 School Street and supports possible housing at the location. Mr. Snyder-Grant will come back at a later Board meeting for further discussion.

Article 34 – Home Rule Petition Change Minimum Age for Voting to 16 – Mr. Snyder-Grant noted next step for filing the home rule petition to testify.

Leo Fochtman, Wright Terrace – at elections, ballots are posted in 4 locations, could there be a breakdown on voters aged 16-17.

Article 35 – Ranked Choice Voting – Mr. Snyder-Grant looking to get it filed and find people to testify at the state hearing.

Article 36 – Economic Development Committee – Ms. Arsenault requested to check with ED Julie Pierce for the Economic Goals of the town. Mr. Mangiaratti noted is is a study to hire a consultant and to apply for a state grant for funding, and the EDC and Select Board would work out a plan. Mr. Mangiaratti suggest the Board support the non-binding resolution as a potential goal.

Article 37 – Non-Binding Sewer Commissioner – Ms. Nicol expressed interest in having this as a goal for the Select Board

Article 38 – Non-Binding Anti-Bias Training – Mr. Martin noted this was a project is being worked on by the DEIC and the Diversity Director.

Article 39 – Non-Binding Code of Conduct – Mr. Martin noted he has materials the DEIC is in progress with and can bring it back to the board for discussion at a later date. Mr. Charter was concerned about the suppression of free speech after the Southborough case with rules on the state level that the Board has to abide by. Ms. Nicol felt this could be done as a small project, added by Mr. Martin that the Code of Conduct does not apply to the public addressing boards and committees; it only applies to the Boards and Committees, as public employees, speaking to the public and suggested to bring draft materials back to the Board

Article 40 – reduce Transfer Station Sticker prices – Mr. Mangiaratti would bring this to the DPW Director to identify what group of people this would affect, and noted it would take a moderate amount of work including hiring a consultant.

Article 41 – Composting Facilities at Apartment Complexes – Ms. Arsenault looked for direction for implementation and how a town-wide composting practice, adding possible transfer station stickers for composting only. Ms. Nicol suggested looking cost per apartment for compost pick-ups, and add a way the town incentivizes apartment owners to sign on for compost pick-up on-site.

Article 44 – Stop Odd Shaped Lots – Mr. Mangiaratti noted Planning staff and community engagement would be required and may not be ideal for a Select Board goal. Mr. Charter noted that it is becoming a real issue in town and should look towards other towns on their zoning bylaw and will make this a suggestion at the Goal Setting meeting

Article 45 – Renters Access to Confidential Health Department Inspections – Ms. Arsenault supports the Health Department handing out a brochure to renters before they sign a lease. Landlords would be notified if there was a problem with an inspection. Mr. Mangiaratti noted if this were to be a goal, there would be changes in procedure with the Health Department, and will take some additional work. Mr. Martin would like to see some research before this becomes a proposal.

Leo Fochtman, Wright Terrace – noted the Board of Health did not support the article as the Board of Health sets policy and the Health Department implements the policies. Ms. Arsenault will continue to work on the policy and have a

conversation with the Town Manager and the Health Director and return to the Board with an update, with the article as a possible goal.

Article 46 – Kelley’s Corner Improvement Initiative Update – Mr. Martin suggests next steps noting the assistance of the Planning Staff and the Kelley’s Corner Steering Committee to work on it also notes that zoning is important for that area of town and suggests the Board make this a goal. Mr. Charter feels this is going to take significant effort and significant money to achieve this.

### **III. Consent Items**

Ms. Nicol held consent item 9. **Mr. Martin moved, seconded by Ms. Arsenault to approve consent items 7,8 and 10-15 inclusive and approved unanimously.** Ms. Nicol supports consent item but wanted to clarify that the vote is to add deed-restricted units to the subsidized housing inventory, but not support the previous Board’s waiving of one million dollars in sewer privilege fees and suggests looking at the 2010 sewer privilege policy which sets when the Board can waive fees. **Ms. Nicol moved, seconded by Mr. Martin to approve consent item 9 and approved unanimously.**

### **IV. Meeting Evaluation**

Mr. Snyder-Grant advised having a better timer at a future meeting and OK with 2-minute limit on comments. ATM conversation was helpful before goal setting. Should have an update on the Southborough SJC decision from the Town Manager and Town Counsel. Mr. Charter suggests having a refresher on Open Meeting Law and Public Records training from Town Counsel and follow up with a code of conduct training in the fall.

**Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved unanimously. Meeting adjourned at 9:50 PM.**

### **Documents Used**

- Agenda, Select Board, June 5, 2023
- Regional Housing Services Office Presentation and Intermunicipal Agreement
- Sewer Rates Presentation
- Memo from Finance Department Dated May 25, 2023
- Sewer Rate Presentation
- Letter from Tree Warden and Planning Board Decision
- Annual Town Meeting Summary
- 2023 Annual Town Meeting Warrant
- 2023 Annual Town Abstract
- Meeting Minutes, May 8 and 22, 2023
- Acton Community Housing Corporation Memo Dated May 17, 2023
- Local Initiative Program Application, Parker Street Apartments
- Email from Dean Charter Requesting Committee Appointment for Lori Cooney Dated May 27, 2023
- One Day Alcoholic Beverage License Application, Elio Espinal

- One Day Alcoholic Beverage License Application, Infant Toddler Children's Center
- One Day Alcoholic Beverage License Application, Integrated Project Management Company, Inc.
- One Day Alcoholic Beverage License Application, Dolly Sappal
- One Day Alcoholic Beverage License Application, Linda Vecchiarello
- One Day Alcoholic Beverage License Application, Boston Events
- One Day Alcoholic Beverage License Application, Multiple Dates, Boston Events
- Letter from Acton Lions Club Dated May 11, 2023
- Memo from Community Services Coordinator Dated May 8, 2023
- Memo from Veterans Services Director Dated May 8, 2023
- Memo from Recreation Department Event & Program Coordinator Dated May 24, 2023