



SELECT BOARD  
MEETING MINUTES  
FEBRUARY 5, 2024

7:00 PM

ACTON TOWN HALL, ROOM 204  
472 MAIN STREET

Present: Jim Snyder-Grant, Fran Arsenault, Dean Charter, David Martin, Alissa Nicol

Additional Attendees: Town Manager John Mangiaratti, Assistant Town Manager Thom Begin

**I. Regular Business**

1. Resident Concerns

Madeline Cruz, Sachem Way – indicated she has been working with a property manager on Spruce Street and felt the information regarding tenant resources on the town website is vague. Additionally, she requested that the citizens petition warrant articles passed during last year's Town Meeting be discussed because she feels that property managers don't have accessibility to town resources; she further mentioned that the Human Services Committee has not met due to not having a quorum.

Greg Jarboe, Cherokee Road – noted at the last Finance Committee meeting it was discussed that the material on the FinCom webpage is not updated and currently shows a presentation from 2022 that indicates they are not in support of an override at that time. They are developing updated information for posting and stated they do support an override.

2. Chair Update/Town Manager Update/Members Minute

Mr. Snyder-Grant noted several agenda items focus on several financial discussions. Announced a number of future agenda items, including priorities for State Legislative Action; update on the 2018 Environmental Sustainability Policy; update on ARPA funds; update on Select Board goals; Hanscom Airport Jet expansion; following up on requests from Martin Benson; Indigenous People's Day discussion; reviewing usage of Zoom virtual attendance for Select Board meetings;; discussion of the current status of action items of the Acton 2020 plan; reviewing a draft Traffic Calming Policy; and a number of other future potential agenda items.

Mr. Mangiaratti noted the Planning Division is working on a survey regarding auto dealership zoning, and are holding a public presentation over zoom of the results of the Powder Mill Road Corridor survey, which will be on Tuesday of next week; He also announced the Senior Center is hosting a Java with John on 2/16 at 9:45 AM.

Mr. Charter noted the Acton 250 Committee is continuing to sponsor programs with a recent lecture last Tuesday. The speaker program will continue every 2 months in room 204, and will be holding a walking tour soon.

Mr. Martin noted the School Committee presented their A Budget (\$2 million less from last presentation) and the budget fits within the recommendation from ALG. Ms. Nicol noted the School Committee will be holding their Budget Workshop this Saturday in the Administration Building on Charter Road beginning at 8:30 AM. The Police Department held their annual Polar Plunge on 2/3 that partnered with Special Olympics, on 2/13 and 2/20 Representative Cataldo will hold an update on the Rt 2 Corridor Study results and for registration please visit the State website.

## **II. Public Hearings**

3. 7:10 PM Change in Liquor License Manager, RBSBW, Inc., 387 Massachusetts Ave

Representing Roche Bros. is Dave Ordway. Mr. Martin noted the change in manager listed on the public hearing notice is not the name on the application. Requested to continue to next Select Board meeting on February 26<sup>th</sup> at 7:10 PM.

**Mr. Martin moved, seconded by Alissa Nicol to continue hearing to February 26<sup>th</sup> at 7:10 PM in Room 204 and unanimously approved 5-0.**

4. 7:20 PM Class II Auto Dealer License, R. Santilli Automotive Group, 30 Main Street, Acton

The applicant was not present for the hearing. Mr. Snyder-Grant opened the public hearing, no questions or comments on the application. **Mr. Martin moved, seconded by Ms. Arsenault to approve a class II auto dealer license for R. Santilli Automotive Group at 30 Main Street and approved unanimously 5-0.**

## **III. New/Special Business**

5. Acton Leadership Group Update – Discuss Next Steps in Regards to Operational Budget Override

Mr. Snyder-Grant updated the Board on the actions on the Acton Leadership Group update and the potential for a possible budget override.

6. Presentation of Town Manager Recommended FY2025 “B” Budget

Mr. Mangiaratti presented to the Board the recommended FY2025 “B” Budget. The total cut including operating budget and capital is 3.7%.

Mr. Martin questioned subsidies and what is the current assumption; Mr. Mangiaratti noted there is a reduction of \$87,000 in the A budget and \$100,000 in the B budget; reducing the Fire Department impact shift in B budget due to not filling vacancies; Mr. Martin recommends taking the \$100,000 subsidy from the ambulance fund; recommends not borrowing for bridge and culvert work and instead utilize free cash; recommends using the \$1 million in free cash and not use capital stabilization this year to cover these expenses.

Ms. Nicol noted that \$6.6 million is a reasonable amount for an override; she is comfortable spending the capital stabilization funding and spending down free cash to the recommended 3% floor. She is unhappy with the B budget by taking away things from the A budget, noting that it's not going to be the same town with services and events being taken away from residents. She recommends not cutting the impact shift from public safety; asked why the \$100,000 reduction in transportation or the impact shift; Ms. Arsenault agrees with the \$6.6 million override proposal.

Mr. Charter noted that ALG has not determined what the split would be with the \$6.6 million; agrees with removing the Prospect and Main St Intersection project from capital; would lean towards preserving the ambulance subsidy than fully funding the transportation subsidy; Mr. Snyder-Grant agrees with the \$6.6 million override amount and would like more details with the split; also noted he would prefer reducing the Fire subsidy since the position is currently vacant; he felt that the transportation program has been relatively neglected and a needed resource.

Terra Friedrichs, Mass Ave – questioned if the choice would be between A+B, and asked if B budget has any open (town) positions – Mr. Mangiaratti noted the B Budget is eliminating 11 positions that are currently vacant positions.

Martin Benson – stated the Select Board never voted for the Town Manager to draft a B budget, stated the B budget leaves open positions unfilled, cuts services to scare residents into voting for the override; requested to reject the B budget since it was not voted on by the Board.

Corinne Hogseth – asked how much free cash will be left after B budget; asked about the Town transitioning to the GIC for health insurance and if it will free up more free cash; recommended prioritizing reducing the Director of DEI position over firefighter;.

Ann Chang – in A budget there is a proposed cut of \$25,000 from library and this (B) version proposes cutting \$55,000 – Mr. Mangiaratti hasn't checked if that would affect state funding and will check into that, Ms. Chang noted that if the funding is cut it is a risk for decertification.

Greg Jarboe – questioned if the town had rank choice voting would it be possible to present to the town an "C" budget.

Scott Smyers, Central Street – questioned the private organization that is getting the information out regarding the override and questioned if Mr. Snyder-Grant is campaigning for the organization.

7. Approve Proposed Policy Regarding Payment of Retiree Health Insurance Costs from Other Post-Employment Benefits Trust

Mr. Mangiaratti discussed the current funding of OPEB and reviewed the proposal to utilize up to \$300K annually from the OPEB trust to pay for retirement employee health insurance and requested the Select Board approve the proposed policy.

Ms. Nicol supports this proposal since it only extends the fully funded date by 3 years while helping reduce operational budget yearly expenses.

**Ms. Nicol moved, seconded by Mr. Martin to approve payment of retiree health insurance costs from other post-employment benefits trust and approved unanimously 5-0.**

8. Approve Proposed Permitting Authority for Draft MBTA Communities Overlay Districts

Kristen Guichard, Planning Director presented the overview of permit authority for the MBTA communities overlay district. Ms. Guichard recommends the Select Board be the permitting authority for the community overlay district as it is the reviewing and permitting authority for site plan special permits.

Terra Friedrichs, Mass Ave – agrees the Select Board be the permitting authority until the Planning Board is an elected Board.

**Ms. Arsenault moved, seconded by Mr. Martin to authorize the Select Board as the permitting authority for the MBTA Community Overlay District and approved unanimously 5-0.**

9. Approve Proposed Concept for Reuse of 17 Woodbury Lane

Mr. Mangiaratti presented the proposal for the reuse of 17 Woodbury Lane. The Town has secured funding for renovations through an earmark at the federal level; demolition had previously occurred that removed an addition and removed hazardous materials; additionally ARPA funding has been allocated for this project, bringing the total available for renovations to \$1 million. He noted that this project is not utilizing and operating or capital funding. Mr. Mangiaratti is looking for support to move forward and seek approval from other Boards and Committees.

Ms. Arsenault commented on the current design that will maximize the outdoor space.

Richard Kelleher – good concept and disappointed it is a limited use facility due to a lack of insulation in the renovation plan.

Bettina Abe – likes the concept and adding another public meeting space with outdoor access to a handicapped bathroom.

Pamela Kimball – commented about adding insulation to the building for year-round usage, consider composting toilets, and consider second floor for storage space for the Town of Acton

**Mr. Martin moved, seconded by Ms. Arsenault to approve the proposed concept for reuse of 17 Woodbury Lane and approved unanimously 5-0.**

10. Approve Placement of Leaf Blower Bylaw Article on Annual Town Meeting Warrant

Mr. Martin created a proposed warrant article after previous discussions at Select Board meetings. He met with the Green Advisory Board (GAB), Economic Development Committee, Green Acton, and town counsel and utilized Belmont's current bylaw as a guide. GAB agreed with the proposal but had concerns about the timeline of implementation. The only change is the effective date of January 2026; the Town would be required to not purchase gas powered leaf blowers after

2025; this also proposes the Town maintain a list of committed landscape companies who have agreed to not use gas powered leaf blowers, enforcement agency would be Police Department, and that the first offence would be a verbal warning.

Mr. Charter commented on the timeframes and to consider cost to homeowners and landscapers; recommended pushing the timeline for the town to purchase electric leaf blowers to January 2026, and push off implementing the ban from 2026 to 2028.

Ms. Nicol feels that commercial uses of electric leaf blowers on a daily basis should be phased in sooner, would like to hear from the author what the frequency is in the number of enforcement calls from other communities.

Mr. Charter commented that starting a registry of contractors is overreaching in the local level of bureaucracy.

Ms. Arsenault is in favor of permitting contractors. Mr. Martin suggests closing the warrant then adding this warrant article. Mr. Martin will work on another draft to bring back to the Board for further discussion.

Tom Beals – commented on the volume of CO2 released from gas leaf blowers, looked for a study that assessed the effect on landscapers using leaf blowers and couldn't find any.

11. Approve Placement of Proposed Conservation Restriction for Morrison Farm Article on Annual Town Meeting Warrant

Heidi Portnoy and Morene Bodner, Agricultural Commission – discussed the proposed town meeting article. Ms. Bodner presented a verbal history of the farm property to the Board and the urgency to protect the farm property as conservation in perpetuity.

Mr. Snyder-Grant noted the Select Board had a discussion on placing a Conservation Restriction on the Morrison Farm property in the past and were not in favor at the time.

Mr. Charter expressed opposition on placing a CR on the property which would restrict the type of usage allowed on the property for future generations.. Ms. Nicol is in support of placing a CR on the property, discussed the current usage of the property, including community gardens and an open meadow and mentioned this has the support of other boards and committees and falls in line with the open space and recreation plan.

Mr. Martin suggested approaching the Recreation Commission with the proposal, feels it's too restrictive.

Mr. Snyder-Grant noted the town currently has 1600 acres of conservation land. Noted that a CR requires extraordinary measures to be considered. Suggested approaching Town Meeting to vote on a direction to developing a CR on the property.

Bill Dickenson – Historical Commission – noted that it is a unique property in a historical corridor and a CR would be an appropriate decision as a historical resource.

Ms. Nicol suggests bringing the idea of a CR to Town Meeting and would rather not have commercial entities come in for the use of the property such as solar fields or battery storage.

Mr. Snyder-Grant suggests having further hearings to gather additional viewpoints on the subject of placing a CR on the property.

Terra Friedrichs, Mass Ave – supports a CR on Town Meeting warrant as currently it is municipal property; the Select Board could also vote for developers to build on the property, questioned if the CR would be a binding article.

Patrick Hearn – supports taking an article for establishing a CR to Town Meeting, get input and bring it back to the Select Board

Ms. Arsenault will work with other Boards and Committees regarding recruiting town staff.

**12. Discuss Water Resources Advisory Committee Charge and Focus**

Ms. Nicol introduced the proposed WRAC charge and focus changes mentioning that the areas they should be focused on are in line with the Select Board goals..

Mr. Snyder took the direction of the Board to work on short term items 1 – study the impacts of efforts to spur commercial development on water demand, 4- provide guidance to the Select Board on the formation of a stormwater utility, and 5 – provide guidance to the Select Board on the formation of wastewater districts, and consider working on an item related to salt use and its effect.

**13. Acton Boxborough Cultural Council Community Initiative Presentation**

Ms. Nicol introduced the South Acton Cultural District. Jin Yang, Acton Boxborough Cultural Council led the presentation. Members expressed their general support for the initiative, and suggested the Economic Development Director provide staff support. Ms. Nicol noted that a group started a similar initiative in West Acton.

**Ms. Nicol moved, seconded by Mr. Martin to support a cultural district in South Acton and approved unanimously 5-0.**

**14. Approve Policy Outlining Select Board Liaison Responsibilities**

Postponed discussion and vote to February 26, 2024

**15. Authorize the Town Manager to Sign the North Central Climate Change Coalition Memorandum of Understanding**

**Mr. Martin moved, seconded by Ms. Arsenault to authorize the Town Manager to sign the North Central Climate Change Coalition Memorandum of Understanding and approved unanimously 5-0.**

**16. Designate Board Member to Participate in the Hazard Mitigation Plan Working Group**

**Ms. Nicol nominated and approved 5-0**

**IV. Consent Items**

Ms. Nicol held consent item 18 and requested the item be moved to the February 26<sup>th</sup> consent agenda. Mr. Martin held consent item 27.

**Mr. Martin moved, seconded by Ms. Nicol to approve consent items 17 and 19-26 and approved unanimously 5-0.**

Mr. Martin suggested to edit consent item 27 to include term to expire when they leave their Board or Committee. **Mr. Martin moved, seconded by Ms. Arsenault to approve consent item 27 as amended and approved unanimously 5-0**

V.

**Meeting Evaluation**

Mr. Snyder-Grant commented on having been too ambitious with the agenda items. Spirit of meeting good, and good public participation. Mr. Martin noted that it was an efficient meeting. Ms. Nicol requested to follow up on sewer commission RFP, liaison responsibilities, and leafblower bylaw. Mr. Snyder-Grant noted a comment about the Finance Committee page points to old presentation not in favor of an override and asked that it be fixed, Mr. Mangiaratti noted it was more of pointing out that it was an older presentation.

**Mr. Martin moved, seconded by Ms. Nicol to adjourn and approved unanimously 5-0. Meeting adjourned at 11:10 PM**

**Documents Used**

- February 5, 2024 Agenda
- Change in Manager Application, Roche Bros
- Class II Auto Dealer License Application, R. Santilli Automotive Group
- Town Manager Alternative FY2025 Presentation B Budget
- Proposed Policy Regarding Payment of Retiree Health Insurance Costs from OPEB
- MBTA Permit Granting Authority Presentation
- Proposed Reuse 17 Woodbury Lane
- Acton Leaf Blower Bylaw
- Morrison Farm Conservation Restriction Exclusion Details
- Morrison Farm Executive Summary and Draft Conservation Restriction
- South Acton Cultural District Presentation
- Liaison Responsibilities
- North Central Climate Change Coalition MOU
- Hazard Mitigation Plan Memo
- Meeting Minutes, January 8 and 22, 2024
- Revised Sewer Analysis RFP Final Draft
- Fossil Fuel Free Bylaw Fee
- Acton Boxborough Farmers Market License Agreement 2024
- Memo from Recreation Department Donation Acceptance Request from Carolyn Gallagher Dated January 23, 2024
- One Day Alcoholic Beverage License Application, Abby Rendish
- One Day Alcoholic Beverage License Application, Magenta Dance Studio
- One Day Alcoholic Beverage License, St. Elizabeth of Hungary
- One Day Alcoholic Beverage License, Jessica Chase
- Memo from Community Services Donation Acceptance from Orion Industries Dated January 22, 2024
- Email from Alissa Nicol Requesting Committee Appointments Dated January 31, 2024

