



SELECT BOARD  
MEETING MINUTES  
FEBRUARY 26, 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, Recording Secretary Lisa Tomyl

**I. Regular Business**

1. Resident Concerns

Franny Osman, Half Moon Hill – noted she will be leaving her appointed town committees and announced she is now the editor for the local online newspaper the Acton Exchange. She explained the content of newspaper, and feels that she needs to be non-biased as editor.

Dave Lungar, Wampanoag Drive – voiced concern about the Board of Registrars and recent resignations and voiced concern about the lack of non-partisan appointment members, with two unenrolled and one registered democrat. Mr. Lungar read from a prepared statement that further addressed his concerns with the appointment process and onboarding requirements.

Mike Gowing, Harris Street – spoke about the school committee reducing their assessment, discussed the school leaving the Health Insurance Trust and transitioning to MIIA, noted this now requires the Town to find alternative health insurance and hopes it is less expensive than the projected cost associated with remaining in the Health Insurance Trust and expressed his feeling that the override amount of 6.6M should be less to ensure public support.

Scott Smyers Central Street – commented on the proposed override, , indicated he felt the Town was on the wrong track with electric vehicle purchases, further discussed EV's country-wide, and asked the Select Board to reconsider EV purchases.

Martin Benson, Deacon Hunt Drive – commented on the previous Board meeting expressed concern about the Chair promoting an online group promoting the override, and is concerned about the Chair using the Select Board meeting to platform the group “Together for Acton”.

2. Chair Update/Town Manager Update/Members Minute

Mr. Snyder-Grant announced he was drafting the Select Board annual report, and requested Board members to send in notes and comments to the Town Manager

for review. Next Select Board meeting is on March 4<sup>th</sup>. Mr. Mangiaratti announced Bistro 30 at the Senior Center is holding a grand opening on Wednesday 2/28 at 11:30 AM; indicated early voting information is on the town website and early voting is taking place at Town Hall during business hours leading up to election day. Ms. Nicol noted that at the last Board of Health meeting the Commissioners discussed a potential agenda item inviting Acton Water District and Department of Public Works to discuss potential reduction of the use of road salt; Acton Water District (AWD) Commissioners approved a 50% rate increase across all tiers which only applies to usage of water, indicated that the debt fee will go down slightly as well. Additionally, Ms. Nicol noted that the annual meeting for the AWD Commissioners is 3/20 at RJ Gray Auditorium beginning at 6 pm.

Mr. Martin commented that the School Committee (SC) and Superintendent intend to reduce the "A" Budget by \$1 million; at the most recent SC meeting the Superintendent noted the savings by switching to MIIA for health insurance and removal from the Health Insurance Trust which ultimately dissolves the trust. Ms. Arsenault announced volunteers are needed for a program hosted by the Conservation Division on March 6th at 10 am to build habitats for native wood turtles. Mr. Charter noted the Acton 250 Committee will approve a plan for merchandising items and also the development of a website for purchasing committee-themed merchandise. The next speaker program is on 4/2 and will focus on the road to Concord; additionally, the DPW Building Committee kickoff is this Friday.

## **II. Public Hearings**

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

James Sperber represented RBSBW, Inc. was in attendance virtually. No further questions from the Board or public. **Mr. Martin moved, seconded by Ms. Arsenault to close the hearing and approved unanimously 5-0. Mr. Martin moved, seconded by Ms. Nicol to approve a change in liquor license manager, RBSBW, Inc. at 387 Massachusetts Ave from John McCarthy to David Ordway and approved unanimously 5-0.**

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

4. Announce Survey for Public Input Regarding the Work of Commission on Energy Siting Infrastructure Permitting Through March 15, 2024

Mr. Mangiaratti informed the Board regarding the permitting process, and that an online survey has been created for the public to provide feedback on the work completed to date. He announced that there will be 2 public listening sessions offered to learn about what the commission is proposing, ask questions about the changes and what policy is being created from this process. More information is on the Mass.gov website. Mr. Mangiaratti also disclosed that he is a member of the commission and wants to encourage the public to participate and learn more about the survey.

5. Acton Leadership Group Update

Mr. Snyder-Grant provide the Board with an update regarding the Acton Leadership Group. ALG recently discussed and agreed on possible revenues for FY2025 along with the funding split between the Schools and Town. Members were asked to discuss with their boards/committees and seek support of this agreement. While FinCom has completed budget reviews for all Town Departments, it has not completed reviewing School Department budgets and providing feedback to the School Committee but did indicate to them they would like to see further reductions to their “A” budget.

6. Approve Revised Fee Schedule for Fire Department and Police Department

Mr. Begin presented the two fee schedules for Police and Fire. The fees would provide additional revenue for the town by increasing some items for the first time in 15 plus years. Additionally, the proposed increases would place the Town more in line with surrounding communities. Mr. Charter questioned the License to Carry fee and asked if it is in addition to the \$100 required by the Commonwealth. Ms. Marianne Fleckner indicated that the fee would stay the same. Mr. Charter indicated he was not in favor of creating a fee for open air burning permits. Mr. Mangiaratti noted the current Fire Chief and previous Fire Chief have been requesting fire education training and the funding from the fee schedule would provide that service with the additional revenue to support the program. Mr. Snyder-Grant questioned what the state has as for a say with setting local fees and what the standard is for setting fees. Ms. Arsenault questioned about smoke detector inspections and if there is a charge for smoke detector fails. Mr. Mangiaratti noted that re-inspections would not incur additional charges. Ms. Nicol questioned if the smoke detector multi-unit should be re-categorized, agrees that the open air burning permit should not cost anything, indicated the Town should charge the overtime costs for banners to be hung by fire department. Mr. Mangiaratti clarified what solicitation are and how they are permitted, indicating they must check in with the Acton Police Department for a permit. Ms. Nicol questioned if there were fee waivers for people who may fall under the category of lower income

7. Adopt FY2025 “A” and “B” Budgets and Transmit to Finance Committee

Mr. Mangiaratti presented the 8<sup>th</sup> iteration of the proposed “A” and “B” budgets. Ms. Nicol questioned the borrowing for stormwater infrastructure and the listed 15 year bond with an estimated 5% rate; Mr. Mangiaratti noted the capital plan has several needs that would not be funded in the FY2025 budget. Ms. Nicol inquired more related to borrowing if it could roll into the existing loan and extend similar to a mortgage – Mr. Mangiaratti confirmed.

Mr. Martin noted that bonds can be issued to cover multiple projects. Mr. Snyder-Grant questioned about the fireworks and if Board members had comments about the elimination of the fireworks event within the B Budget, and asked if this

should be reduced in the A budget as well. Mr. Charter suggested having a citizen group create a fundraising effort to finance the event in the future. Ms. Nicol suggests including public comment regarding fireworks, and feels the event is important for the community and encourage solicitation for donations outside of Acton. .

**Mr. Martin moved, seconded by Mr. Charter the Select Board adopt a recommended FY25 A and B Budget as shown on the Town Manager's presentation and transmit to the Finance Committee and approved unanimously 5-0.**

8. Approve Adding a Vote for a \$6.6 Million Operating Override Question for Town and Schools to the April 30, 2024 Local Election Ballot

**Mr. Martin moved, seconded by Ms. Nicol the following language to the local election ballot this year *Shall the Town of Acton be allowed to assess an additional \$6.6 Million in real estate and personal property taxes for the purposes of funding the operating budget of the Public Schools and the Municipal Government for the fiscal year beginning July first 2024*, amended by Mr. Martin to include “and the actual text of ballot may be corrected by Town Counsel” and approved unanimously 5-0.**

9. Approve Proposed Personal Property Tax Exemption of \$2,500 for Business Properties

Principal Assessor CJ Carroll presented the proposed personal property tax exemption for business properties.

Terra Friedrichs, Mass Ave – supports exemptions and questions if this exemption is for personal property or small business – Mr. Carroll noted it has to do with personal property which covers equipment utilized and stored within the facilities of businesses that are located within Acton.

**Ms. Nicol moved, seconded by Mr. Martin seconded to approve a personal property exemption for the first \$2,500 of personal property value starting in fiscal year 2025 and approved unanimously 5-0.**

10. Decide How to Proceed With Potential Car Dealership Zoning Article

Nora Masler and Kaila Sauer, Planning Division reviewed the survey results and options of rezoning auto dealerships on Great Road. Ms. Nicol questioned about responses who did not prefer indoor or outdoor vehicle sales, asking if respondents provided reasons for answering this way. Ms. Masler noted that information was not provided, Ms. Sauer noted some added comment due to aesthetic purposes.

Mr. Charter noted his reluctance in supporting either option for requiring a Site Plan Special Permit (SPSP) or Use Special Permit (USP), noting that only 50% of respondents felt car dealerships were a problem. Mr. Martin noted the recent SPSP for Nagog Park allowed for some control of the re-development of the site for the car dealership and is in favor of option 1 requiring a special permit in the limited business district.

Ms. Nicol commented on the previous application for a SPSP by another car dealership and noted that the Board was not able to deny the permit application, indicated option 1 would allow future Boards to guide the special permit, and would support either option. Mr. Martin noted this would not affect any existing dealerships, and a USP allows the Board more flexibility on its decision-making process.

Terra Friedrichs, Mass Ave – questioned the details of both permits, questioned about size of dealerships, requested not allowing dealerships by Conant well, preferred not allowing more dealerships in residential areas, and stated this should go to Town Meeting to let voters decide

Mike Saulnier, Nonset Path – had contemplated whether he should file a citizen's petition which mirrors option 1 but was encouraged the Board was moving forward with this topic and decided not to and wait for this process to complete. He is concerned with the density of the same businesses west of rt 27. Supports moving the proposed zoning option to Town Meeting. **Mr. Martin move the Town Manager and Planning Division put together a zoning article for this year's Town Meeting to allow by special permit in the limited business district and approved 4-0-1 (Charter).**

#### 11. Announce Town Manager Review Process

Mr. Snyder-Grant informed the members they will be receiving a survey with open-ended questions on how the Town Manager is performing with a self-review completed by the Town Manager. Suggested that the public approach Select Board members on their aspect of the Town Manager's performance. Select Board forms will be due back to the Human Resource Director by March 15<sup>th</sup>. A final report will be based on all reviews, a contract discussion will be held during an executive session, and a public discussion will be held to approve the revised contract before Town Meeting. Ms. Nicol noted that any email that is sent to the Board it is public and requests any comments should be sent to individual email addresses as the Town Manager is included in the Select Board group email.

#### 12. Review Progress on Board Short- and Long-Term Goals

Board members and the Town Manager commented on the completion of many short-term goals and discussed the outstanding short and long term goals. Mr. Mangiaratti provided updates on each goal. Mr. Snyder-Grant noted that some goals face budgetary constraints. Under short term goals, Ms. Nicol questioned a timeline in completing a traffic calming policy – Mr. Mangiaratti will check with the Engineering Division. Mr. Mangiaratti noted that recommendations for 19-21 Maple Street disposition will be brought to the Board at the next meeting. Ms. Nicol commented on the short-term goal of establishing an affordable rehab trust, and met with the Chair and Vice Chair of Acton Community Housing Corporation to see if they would be interested in creating a partnership with future projects and

other non-profit organizations after the report from Regional Housing Services Office showed the model would not break even. Mr. Charter noted under the long-term goals that the DPW Building Committee will have their first meeting this Friday; and that the Acton 250 Committee has received some donations to defray the cost of the specialty lectures. Ms. Nicol asked what the term ending for the lease of 30 Sudbury, Mr. Mangiaratti and Mr. Charter noted it's currently a 10-year lease with 2 5-year extension options. Mr. Mangiaratti will note the term of the lease in his next update of goals to the Board.

13. Approve Request for Proposals for Sewer Commission Governance Study  
Ms. Nicol reviewed the updated RFP and the suggested changes after previous discussions. Mr. Snyder-Grant will work with Mr. Begin on the additional changes and updates for the RFP. **Ms. Nicol moved, seconded by Mr. Martin to move ahead with RFP with changes as discussed and approved unanimously 5-0.**
14. Approve Placement of Leaf Blower Bylaw Article on Annual Town Meeting  
Mr. Martin proposes that the Board not place their drafted leaf blower article on the Town Meeting warrant since Paul Kampas has submitted a citizen petition for this. He noted that if the article fails at Town Meeting it can be introduced at a future Town Meeting submitted by the Board as Ms. Nicol noted it is a long-term goal of the current Board.
15. Approve Economic Development Committee Updated Charge  
Ms. Arsenault noted the minor changes for the charge that updated names for Economic Development Director and updates references to the Select Board. This updated charge also changes the Select Board representative from a member to liaison. Mr. Martin suggested changing the EDC to advising the Select Board. Terra Friedrichs, Mass Ave – questioned the committee reporting to the Economic Development Director, Town Manger and Select Board and asked that the Board remove the town staff from the reporting structure. Mr. Snyder-Grant will work with Ms. Arsenault about another draft to bring back to a future Board meeting.
16. Approve Proposed Updated Green Advisory Board Charter  
Mr. Snyder-Grant discussed updates that respond to the article passed at Town Meeting declaring a climate emergency in Acton and the Climate Action Plan. Mr. Martin noted that this should be listed as *charge* and not *charter*. **Mr. Snyder-Grant moved, seconded by Ms. Nicol to accept the language as written and changing the word charter to charge and approved unanimously 5-0**
17. Approve Policy Outlining Select Board Liaison Responsibilities  
Mr. Martin introduced a draft policy on liaison responsibilities. Ms. Nicol suggested inviting volunteer candidates to the Select Board for appointment, and

sees it more of a recruitment. Mr. Martin will bring the suggested changes on the draft back to the Board at the next meeting for approval.

Terra Friedrichs, Mass Ave – suggests not allowing liaisons the ability to influence how their liaison committee is run and how the agenda is set.

**IV. Consent Items**

**Ms. Arsenault moved, seconded by Mr. Martin to approve consent items 18-21 and approved unanimously 5-0**

**V. Meeting Evaluation**

Mr. Synder-Grant indicated that he appreciates getting through the long agenda. Ms. Nicol noted the need for a follow up on the comment made during citizens' concerns regarding appointments to the Board of Registrars and MGL possibly violated.

**Ms. Nicol moved, seconded by Mr. Martin to adjourn and approved unanimously 5-0. Meeting adjourned at 11:05 PM**

**Documents Used**

- February 26, 2024 Agenda
- Change in Manager Application, RBSBW, Inc.
- Email from John Mangiaratti on Commission on Energy Infrastructure Siting and Permitting Dated February 17, 2024
- Presentation of Revised FY2025 “A” and “B” Budget and Capital Plan
- Email from John Mangiaratti on Overview of Override Process Dated November 10, 2024
- Memo from John Mangiaratti to Select Board on personal Property Tax Exemption
- Presentation on Personal Property Tax Exemption Proposal from Board of Assessors Dated February 26, 2024
- Presentation of Evaluation of Zoning for Auto Dealerships on Great Road Survey Results Dated February 26, 2024
- Memo from John Mangiaratti on Status Update on Select Board Goals
- Letter from Alissa Nicol on Select Board Goals Rational Dated November 15, 2023
- Revised Sewer Commission Study RFP
- Draft Leaf Blower Control Bylaw Dated February 18, 2024
- Economic Development Committee Proposed Charge
- Green Advisory Board Proposed Charge
- Select Board Liaison Responsibilities Dated January 12, 2024
- Meeting Minutes January 10, 11, 2024
- National Brain Tumor Society Ride Email and Documentation from Annie Zampitella Dated January 30, 2024
- Memo from John Mangiaratti Regarding Donation Acceptance Request Dated February 20, 2024
- Memo from John Mangiaratti Regarding Approving Multiple One Day Alcoholic Beverage License Applications Dated February 20, 2024