



SELECT BOARD
MEETING MINUTES

JULY 22, 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, Executive Assistant Lisa Tomyl

I. Regular Business

1. Resident Concerns

Scott Smyers, Central Street – noted there have been 3 car accidents in front of his house, and the police department has installed electric speed signs temporarily to help slow vehicles down but have to move the sign throughout the town. He expressed frustration with the continued speeding, and suggested buying and installing additional speed signs to help the situation.

Nijan Datar, Windcliff Drive – discussed agenda item 5 - Appoint New Member to the Board of Registrars and suggested selecting one of the 3 republican nominee to balance the Board between Republicans and Democrats.

Terra, Mass Ave – agreed with previous commenter, noted she felt that speed signs are a helpful speed deterrent , and commented on having the meeting evaluation discussion on the agenda indicating she felt it it should continue.

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault thanked all volunteers who participated over the weekend in removing 17,000 water chestnuts at Ice House Pond, in coordination with the Conservation Division and OARS. Ms. Arsenault mentioned an additional cleanup event scheduled for the fall and encouraged anyone who is interested to contact Conservation Division. She also noted that the survey for Habitat for All is open throughout summer and the link to take survey is on the town website. Mr. Mangiaratti announced the retirement of Town Clerk Eva Szkaradek after 30 years at the end of September and thanked her for her service. Mr. Begin congratulated the Acton Boxborough Youth Baseball Little League team on making it to State Finals against Andover, and indicated that information on their season and next game is on the AB Youth Baseball Facebook account. Mr.

Snyder-Grant discussed the recent Rt. 2 and Rt.27 intersection improvement presentation and noted the deadline for feedback is coming up. He reviewed the Boards' concerns with pedestrian and bicycle safety, and indicated he spoke with MassDOT, noting that the Boards concerns will be considered for design.

Ms. Nicol mentioned that each Acton household should have received a postcard for the Habitat for All survey in the mail as well. As of July 9th, the Habitat for All working group announced 300 responses had been received and encouraged residents to visit the Town website and complete the survey. Ms. Nicol noted that the Acton Water District recently awarded a contract for the PFAS removal system project and will be breaking ground next August. Mr. Charter announced the Acton 250 Committee will be continuing their programming on October 1st at the Acton Memorial Library; an Isaac Davis Brown Ale, produced by Dirigible Brewing Company, will be available at this upcoming tasting event.

II. Public Hearing

3. 7:10 PM Site Plan Special Permit Amendment, Lane Realty Trust, 531 Main Street

Representing Lane Realty is Warner and Bonnie Gossels, owners of the property at 531 Main Street. They noted the plan is to create a new entrance and emergency exit that will be ADA compliant; replacing existing windows; leveling the land from the roadway to the building; repaving the parking lot to create a safe ADA compliant drop-off site, and creating ADA compliant access to the second floor. Mr. Gossels indicated the plan is to not add additional square footage to the building but to focus primarily on improving access. Mr. Charter noted he reviewed the plans with the Planning Division, and asked the applicant if they had an agreement with the company that owns the road at Post Office Square as it is a private road. Mr. Gossels stated they did. Ms. Nicol recommended discussing comments from the Design Review Board (DRB) before closing the public hearing. Mr. Martin read the comments from the DRB into record. Ms. Gossels noted that the architect included the DRB's recommendations into the plan that was presented to the Select Board. Mr. Charter noted that the amended plans as submitted are sufficient.

Mr. Martin moved, seconded by Ms Nicol to close the public hearing and approved 5-0-0.

Mr. Charter moved, seconded Ms. Nicol by to approve Site Plan Special Permit Amendment for #6/6/24-491 at 531 Main Street

4. 7:20 PM Pole Petition, Eversource Energy, Relocate Pole #45/38 and Install One Pole #45/38A, 2 Thomas Drive

The representative from Eversource was not available. Ms. Nicol suggested to return to the hearing after 9 PM to allow the representative an opportunity to attend later in the evening. When the Board revisited the public Hearing later in the event, a representative from Eversource was still not present. At that time, the Board agreed to continue the Public Hearing. **Ms. Arsenault moved, seconded by Mr. Martin to continue the Eversource hearing to August 26th at 7:20 PM and approved unanimously 5-0-0.**

III. New/Special Business

5. Appoint New Member to the Board of Registrars

Mr. Snyder-Grant introduced the history of appointments through the Select Board to the Board of Registrars and the recent resignation of a past member. Mr. Snyder-Grant outlined the Massachusetts General Laws that govern local Board of Registrars. Mr. Charter noted a memo from the Town Clerk recommending appointment of either of two people listed, one from each major political party (Republican and Democrat) to fill the Board.

Sahana Purohit, Blueberry Path, President of the Acton Democratic Town Committee – appreciated the research done by Board members and encouraged board to appoint a Democrat.

Dave Lunger, Wampanoag Drive, President of the Acton Republican Committee (ARTC), indicated he believes the Town should strive to follow MGL and noted the ARTC submitted 3 names for Select Board consideration.

Janet Adachi, Simon Hapgood Lane – suggested forming a committee for the future when a similar situation arises

John Norton, Central Street – suggested appointing a Republican to keep it fair and balanced between each major political party represented on the Board.

Scott Smyers, Central Street – questioned if the Town Clerk as unenrolled must be conservative or liberal and expressed belief that the Town needed balance to keep voting fair

Kathy Lynch, Westford resident - intent of law is to provide equal representation, and Acton's unenrolled Clerk has voted Democrat in primaries in past 11 years
Terra, Mass Ave – recommended appointing a Republican for the reasons previously noted.

Mr. Snyder-Grant moved, seconded by Mr. Charter that the appointment be made for a Republican and approved 3-2-0

Mr. Snyder-Grant moved, seconded by Mr. Charter to appoint John Norton to the Board of Registrars with a term to end March 2027 and approved 5-0-0.

6. Approve Request for Additional Financial Commitment from Acton Community Housing Corporation (ACHC) for \$150,000 Towards Acton Housing Authority's (AHA) McManus Manor Project

Mr. Mangiaratti noted that the ACHC was approached by the AHA with an additional request for funding to support the McManus Manor housing project. ACHC voted to approve allocating \$150,000 to the project. As part of the process, the Select Board must review and approve this allocation. **Mr. Snyder-Grant moved, seconded by Ms. Nicol to approve the expenditure the ACHC wants to make.** Mr. Martin requested to amend the vote to include the amount. **Mr. Martin to move the Board approve the ACHC request to spend \$150,000 towards the McManus project from the ACHC's account, seconded by Ms. Nicol and approved unanimously 5-0**

7. Approve Use Special Permit Conditions for Let's Roll, LLC, 930 Main Street
Ms. Nicol requested correcting a typo within the special permit. **Mr. Martin moved, seconded by Mr. Snyder-Grant to approve the use special permit for Let's Roll, LLC at 930 Main Street as edited and approved 5-0-0**

8. Announce Retirement of Town Clerk Eva Szkaradek

Mr. Mangiaratti announced the retirement during his Town Manager update.

9. Approve Town Clerk Recruitment and Appointment Process

Mr. Mangiaratti discussed the proposed process for recruitment and interviews, with the Select Board appointing a new Town Clerk ideally before the next election. The next steps would be finalizing the job description with any edits from the Board, then advertising the position utilizing many different media outlets to attract the most desirable candidates including the Massachusetts Town Clerks Association and Massachusetts Municipal Association job boards. Mr. Snyder-Grant requested an outline and background on who the Town Clerk reports to. Mr. Mangiaratti noted that currently the Town Clerk reports to the Director of Finance and Administration Marianne Fleckner, which also allows for direct supervision and support from the other team members in the finance wing where the Town Clerks office is located. Ms. Nicol suggested changing Board of Selectmen in item 17 in the job description to Select Board. **Mr. Charter moved, seconded by Ms. Nicol to approve the Town Clerk recruitment and appointment process as outlined in the Town Manager's memo and approved 5-0-0**

10. Authorize Town Manager to Sign Central Massachusetts Mosquito Control (CMMC) Project Permission Slip for Water Management Work on Town Owned Property at 325 Arlington Street Behind

Mr. Mangiaratti updated the Board on this effort by the CMMC, noting they recently sent out a request to the Town seeking permission to perform work within Town as noted. Mr. Charter noted the area has been cleaned out in the past through this program. He further explained that the listed work typically relies on utilizing hand tools to remove organic material which is exempt under the wetlands protection act and performed throughout town on private property with the property owner's permission with no chemicals used. **Mr. Martin move, seconded by Ms. Nicol to authorize Town Manager to sign Central Massachusetts Mosquito Control Project Permission Slip for Water Management Work on Town owned property at 325 Arlington Street Behind and approved 5-0-0**

11. Review Status of Current Capital Projects

Mr. Mangiaratti provided a presentation to the Board on the status of a number of ongoing capital projects. Those updates included: Isaac Davis Monument project is currently out to bid and will be funded through CPA and grant funding to prepare for the 250th ceremony and event. Sidewalk construction for Taylor, Willow & Parker Street, Main Street/Rt. 2 to the Center is preparing for paving. The Main Street to Prospect Street paving received funding approval at Town Meeting and permitting work is underway. The Piper Road sidewalk study is ongoing and expected to last through the summer. The Powder Mill Road housing development began demolition on-site while road work is expected to begin starting this fall. Additionally, the Town Hall and Library parking lot design is ongoing. The West Acton Village complete streets study is complete and town staff are working with the Transportation Advisory Committee to ensure safety components of the study focused around the elementary school are incorporated into the project. The 17 Woodbury Lane project will be placed out to bid in the fall and currently has a cost estimate of approximately \$1.2 million. The Gardner Field playground wall was redesigned and partially removed, while site plantings will be completed this fall. Mr. Begin discussed the following projects. The Main Street sewer extension construction mobilization is expected to occur within a few months. The Dog Park project is currently at 90% design, and McManus Manor is anticipated to break ground early in 2025. The DPW Facility project has recently hired an Owners Project Manager and Designer; design efforts are underway and it is anticipated a few building options will be presented to staff in the next few weeks. The 53 River Street Dam Removal project progresses with continued soil remediation and park construction is anticipated sometime in the new year. The Town currently has \$225K dedicated for construction from CPC and a state earmark and may need additional funding to complete.

12. Consider Next Steps for Potential Leaf Blower Bylaw

Mr. Martin recapped the process that has led to Board to this point. He further discussed the draft bylaw and proposed continuing a process similar to last fall while making some final tweaks during an upcoming Select Board meeting. He noted the Board should hold a public hearing to allow for additional public comment. Mr. Snyder-Grant agrees with allowing time for more written statements, public statements, town staff and or department comments, and identifying possible staff responsible for enforcing the proposed bylaw. Ms. Nicol noted the date of the current draft, and asked that the Board incorporate advice from town counsel and the Green Advisory Board into the draft bylaw. Mr. Charter agrees with Mr. Martin and Mr. Snyder-Grant's suggestions. Mr. Martin will continue with the draft bylaw preparation. Mr. Charter recommends changing the dates of implementation if passed at Town Meeting.

Eric Hudson, Nagog Hill Road – member of Green Advisory Board (GAB) indicated he would like to have the GAB be included in future discussions about the draft bylaw moving forward as well as the Board of Health. He asked that the Board consider bringing a landscaper who has made the transition to electric leaf blowers into the discussion.

Mr. Martin noted that other towns that have this bylaw added it to their noise bylaw.

13. Discuss Potential Policy Regarding Town Counsel Review of Citizen Petition Articles

Mr. Martin offered to draft a policy and a guide for Board consideration. Mr. Snyder-Grant noted the Town Moderator was working on a guide regarding submitting citizen petitions.

14. Consider Adding a Standing Meeting Agenda Item Called “Meeting Evaluation”

Ms. Arsenault noted that she received a request to add this item back to the agenda and also post the votes recorded document after meetings. Mr. Snyder-Grant noted if there were difficult discussions at meetings it gives the board a chance to discuss and clarify during meeting evaluations. He feels this time is good for announcing what follow up actions are needed after different topic discussions, what worked well, and what didn't. Mr. Charter noted concern with adding a meeting evaluation especially during lengthy meetings when the public has left or logged off since the agenda item they were interested in had been completed. Ms. Nicol agreed it best to discuss misunderstandings in private, noting that bringing up comments made earlier after a hearing is not appropriate. She agreed that this agenda item allows the Board to follow up on previous directions the Board provided during the meeting to the Town Manager and

confirm the direction of Board members for future discussions. Mr. Martin agrees with other Board members, and that the decision is the Chair's and suggested calling it a different name. Ms. Arsenault suggests doing an agenda item recap after each item rather than a meeting evaluation, and will continue posting votes recorded.

IV. Consent Items

Mr. Charter held consent item #15. **Mr. Martin moved, seconded by Ms. Nicol to approve consent items 16-18 inclusive and approved unanimously 5-0-0.**

Mr. Charter offered a correction in the June 3rd minutes noting that Mr. Snyder-Grant submitted a comment and not Mr. Charter. **Mr. Charter moved, seconded by Ms. Nicol to approve consent item 15 to amend the minutes and approved unanimously 5-0-0.**

Mr. Martin moved, seconded by Ms. Nicol to adjourn and approved unanimously 5-0-0. Meeting adjourned at 9:55 PM.

Documents Used

- July 22, 2024 Agenda
- Site Plan Special Permit Amendment, Lane Realty Trust, 531 Main Street
- Pole Petition, Eversource Energy, Relocate Pole #45/38 and Install One Pole #45/38A, 2 Thomas Drive
- Memo from Town Clerk Office Dated July 19, 2024
- ACHC Memo Dated July 11, 2024
- Memo from Town Manager Proposed Recruitment and Appointment Process for Town Clerk Position Dated July 22, 2024
- Central Massachusetts Mosquito Control Project Letter Dated July 1, 2024
- Draft Leaf Blower Control Bylaw
- Meeting Minutes, June 3, 2024
- Executive Session Minutes, July 2, 2024
- One Day Alcoholic Beverage License Application, Deborah Dormitzer
- Memo from Recreation Department Dated July 17, 2024