



BOARD OF SELECTMEN

Meeting Minutes

Tuesday, March 17, 2020

7:00 PM

ROOM 204, ACTON TOWN HALL, 472 MAIN STREET

Present: Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin, Town Manager

John S. Mangiaratti, Assistant Town Manager Mark Hald, Nina Pickering-Cook, Town Counsel

Absent: None

Ms. Gardner called the meeting to order at 7:00 pm via a virtual meeting with Board members in physical attendance and broadcasted via Zoom.us virtual meeting platform. All votes made by the Board were completed by utilizing this platform, including teleconferencing comments from attending citizens of Acton and elsewhere regarding content that may be considered by the Board for official votes in the subject matter.

I. Regular Business

1. Citizen Concerns- Terra Friedrichs, West Acton via teleconference is concerned about the Housing Choice Designation application and thinks that it is controversial and not it should not be discussed currently and postponed for in person discussion.
2. Chair Update/Town Manager Update
Mr. Mangiaratti – Provided an update on operations and how services have been impacted. He thanked the hard work of staff over the past weeks and Town Counsel regarding the COVID-19 response and we have more work to do in the coming weeks.

II. New/Special Business

3. Update on COVID-19

Mr. Mangiaratti updated the Board on the steps town staff has taken in response to the COVID-19 crisis in Acton. On March 13th at close of business, Town Hall, Memorial Library, West Acton Citizens' Library, Human Services and Senior Center, and Recreation Building until April 6th. Board of Health voted to close the buildings at their recent meeting. A working group was formed to address needs and government services, enacted social distancing. We have limited staff physically working in buildings with a large number of staff working remotely. Posting daily updates on the town websites. The Governor declared a state emergency and the President declared a national emergency. Mr. Mangiaratti is presenting to the Board a draft document to use if they choose to declare a local state of emergency in Acton. Mr. Mangiaratti presented several considerations for the Board to discuss including postponing Town Meeting and postponing the upcoming town/state elections. Ms. Gardner commented that the Board attended the recent Board of Health meeting and discussed declaring a town emergency. Mr. Mangiaratti wanted to note that the declaration also has the Chair of the Board of



Health listed on the declaration as well. Ms. Pickering Cook briefed the Board on what declaring a local emergency statute would mean for the town. Mr. Berry suggested adding “Chapter 111, Section 104 of the Massachusetts General Laws” after the “Now Therefore” paragraph.

Mr. Benson moves to accept a declaration of local emergency as amended by Mr. Berry, Mr. Berry seconds. The Board voted 5-0. The motion carries.

Mr. Mangiaratti and asked the Board to consider ratifying the recent decision to close buildings.:.

Mr. Martin moves to ratify the decision to close public buildings and public playgrounds until further notice with a notice from the Town Manager after consulting with the Chair and Vice Chair. Mr. Charter seconds. The Board voted 5-0. The motion carries.

Mr. Martin moves to postpone or cancelling all in-person board and committee meetings other than Board of Selectmen and Board of Health until further decision of the Board of Selectmen unless boards with time sensitive, statutory, or contractual obligations may consider meeting remotely and virtually, Mr. Benson seconds. The Board voted 5-0. The motion carries.

Mr. Berry moves to delay posting the warrant for Town Meeting scheduled for April 6, 2020 until further action by the Board of Selectmen to reschedule at a future date, Mr. Benson amended the motion and added pursuant to the powers the Board of Selectmen have under Chapter 39, section 9. Mr. Martin seconds. The Board voted 5-0, the motion carries.

Mr. Benson moves the Board of Selectmen seek an immediate court order to postpone the March 31, 2020 local and state election to date to be determined and the town post the election warrant to comply with the town charter for the local election on March 31, 2020, Mr. Berry seconds. The Board voted 5-0. The motion carries.

4. West Acton Cultural District Application

Petitioner requested to postpone until April

5. Discuss Annual Town Meeting and Continue Article Review

There was consensus of the Board that due to the COVID 19 situation that annual town meeting shall be postponed to a date to be determined later. The board did not discuss the town meetings articles that were scheduled for review in the agenda and will continue this conversation to a future meeting.

6. Housing Choice Designation Application 2020 Discussion

Mr. Martin moved to support the Housing Choice Designation Application, Mr. Charter seconds. The Board voted 5-0, the motion carries.



7. Review Grant of Option Agreement with Acton Housing Authority for the 348-364 Main Street Property
Kelley Cronin, Acton Housing Authority Director briefed the Board via teleconference/virtual meeting platform regarding the property. There was interest raised regarding possibly locating a dog park on the property. Septic system is planned for the left of Isaac Davis Way. AHA wanted closing and permit by December 31, 2021. There is an extension period on the application between 1 to 2 years. Mr. Charter questioned regarding the existing tenant on the property and if the town can renegotiate on the conditions of the property. Mr. Mangiaratti commented that he would look into this question and report back.
8. Update on Kmart Property
Board to discuss at a future meeting
9. Discuss Preliminary Plans for Family Friendly Room for Town Meeting
Mr. Mangiaratti briefed the Board about the implementation of improving attendance at Town Meeting under the findings and recommendations presented at the February 24, 2020 Board of Selectmen meeting from the Town Meeting improvements Committee, and suggestions from both staff/school internal working group. It was suggested that the overflow room be utilized as a “family friendly” room, with tables set up for children, and a smaller number of chairs set up for voters to watch the Town Meeting and participate.
10. Accept Tree City Designation, 2020 Arbor Day Proclamation
Mr. Berry moved to approve 2020 Arbor Day Proclamation, Mr. Martin seconds. The Board voted 5-0, the motion carries
11. Announcement of Department of Veteran's Services Approval of Regional District with Boxborough for Three Years
Mr. Mangiaratti announced to the Board of the approval of the Regional District Agreement with the Town of Boxborough for three years.
12. Announcement of Colonel Francis Faulkner Volunteer of the Year Awards
Mr. Berry announced Bob Whittesley, Acton Housing Board
Mr. Benson announced Derrick Chin, Planning Board, Economic Development Committee, Kelley's Corner Steering Committee
Ms. Gardner announced Carolyn Kilpatrick, Acton Historical Commission

III. Sewer Commissioners Business

Ms. Gardner called the Sewer Commissioners to Order at 9:19 PM
There was an inquiry regarding the installation of the new sewer privilege rate. Mr. Martin reiterated that the previous rate for \$12,000 is over 20 years old, and with updates to the sewer treatment plant needed, and other projects pending, the at the



rate voted on for \$33,000 on February 24, 2020, is the designated start point for all future projects requiring hookups. Richard Damiano, developer for a project at 66 Maple Street via teleconference was concerned having the cost increase for his project that started just after the February 24th meeting. As of February 24, 2020 Mr. Damiano has not obtained permits from Building, Planning, or Conservation.

IV. Consent Items:

Mr. Martin held consent items 18-19. Mr. Berry moved to approve consent items 14-17, Mr. Benson seconds. Mr. Martin concerned about the gatherings regarding consent items 18-19 and moved to take no action, Mr. Benson seconds. The Board voted 5-0 the motions carry.

Meeting adjourned at 9:45 PM

Documents and Exhibits Used During this Meeting

- Meeting Minutes February 24, 2020
- Warrant Articles 11, 24, 28 and 34
- Housing Choice Designation Application
- Arbor Day Proclamation
- Veterans' Services Letter of Approval
- Letter from friends of Bruce Freeman Rail Trail
- Memo from Recreation Department
- One Day Alcoholic Beverage License Application, Apple Valley Catholic Community
- One Day Alcoholic Beverage License Application, Thrive Dental Co.