



SELECT BOARD AND SEWER COMMISSIONERS

Meeting Minutes
Monday, May 17, 2021
6:00 PM
Virtual Meeting

Present: Jon Benson, Dean Charter, David Martin, Joan Gardner, Jim Snyder-Grant, Town Manager John S. Mangiaratti

Absent: None

Mr. Benson called the meeting to order at 6:00 PM. It was a virtual meeting with no Board members in physical attendance and it was broadcast via Zoom.us virtual meeting platform.

I. **Sewer Commissioners**

1. Discuss Wastewater Improvements and Presentation of Sewer Rate Recommendation

Jack Troidl and Toby Fedder from Woodard and Curran made a presentation to Board members regarding proposed improvements at the South Acton Wastewater treatment plant, and a sewer rate increase of 2.5% for the next three years which does not affect FY 20 and FY21. The purpose of the presentation is to inform the Sewer Commissioners of the planned rehabilitation to ensure critical infrastructure, as the current plant is over twenty years old. The funding request would be paid from the sewer enterprise fund, which will be Article 5 at Town Meeting on June 21, 2021.

II. **Regular Business**

2. Citizens Concerns

Members of the public shared an email statement from Racial Justice for Black lives regarding the inappropriate statements made by the Chair at the April 5, 2012 and April 12, 2021 meeting of the Select Board, singling out members of the School Committee and Senator Eldridge; a concern about the lack of voter information for the special election on the Town website and request for more publicity; a request for the Diversity, Equity & Inclusion Commission to take public comment.

3. Chair Update/Town Manager Update/Members Minutes

Mr. Benson announced that at the recent Acton Community Housing Corporation meeting, the Residences at Kelley's Corner located at 446 Mass Ave will be renamed Tavernier Place in recognition of Nancy Tavernier's dedication to affordable housing in Acton. There will be a Massachusetts Municipal Association webinar on May 20, 2021 regarding Treasury guidelines on the use of ARPA funds. The next meeting will be May 24, 2021 at 7:00 to review and make recommendations on warrant articles and the Town Manager's evaluation.



Mr. Mangiaratti updated the Board regarding the recent MassWorks Grant ceremony held at 4 Powdermill Road on May 13, 2021 regarding the awarding of \$2.75 million toward the Apartments at Powder Mill for wastewater improvements and complete streets. Lt. Governor Karyn Polito was in attendance, along with members of the Select Board, Senator Eldridge, and Representatives Gouveia and Sena. Saturday is Hazardous Waste Day at the Transfer Station from 9:00 AM to 1:00 PM. The Transfer Station will resume regular operating hours starting June 1, 2021. There are currently open positions in multiple Town of Acton departments such as Public Works, Land Use, Public Safety, and Finance. There will be two additional Acton Leadership Group meetings for May 27, 2021, and June 3, 2021 to discuss the current ALG Plan which requires adjustment due to including the debt expense for the North Acton Fire Station as a separate line item. It was also included as an operating budget expense.

Mr. Snyder-Grant announced there will be a special event on May 25, 2021 in recognition of the death of George Floyd, a virtual community conversation with the Acton and Boxborough Police Chiefs hosted by Racial Justice for Black Lives (RacialJusticeforBlackLives@gmail.com)

Mr. Martin commented on his disappointment regarding the support of several Board Members for the current Chair after his comments at recent Board meetings.

4. COVID-19 Response Update

Mr. Mangiaratti reported there is currently 6 people in quarantine with a cumulative case number of 975, and that all remaining COVID restrictions and the current face covering order will be rescinded on May 29, 2021. Governor Baker will end the State of Emergency on June 15, 2021. Mr. Mangiaratti will have some recommendations regarding how other town boards and committees will operate after June 15, 2021 at the June 7, 2021 meeting of the Select Board. Town Hall has been open to the public since May 3, 2021, and will have more information for the Board regarding the use of ARPA funds.

III. Public Hearings

5. 7:10 PM Class II Auto Dealer License, Acton Auto Boutique, 429 Great Road. Adam Ponte, attorney for the applicant, presented to the Board the application and request for a Class II Auto Dealer License at 429 Great Road for the sale of luxury pre-owned vehicles. **Ms. Gardner moved, seconded by Mr. Charter to close the public hearing and voted unanimously by roll: (Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin).**

Ms. Gardner moved, seconded by Mr. Martin to approve a Class II Dealers License at 429 Great Road for Acton Auto Boutique and voted unanimously



by roll: (Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin).

IV. New/Special Business

6. Discuss Open Meeting Law Complaint and Delegate Response

The Board received an Open Meeting Law complaint regarding recent minutes that were approved by the Board for April 5, 2021.

Ms. Gardner moved, seconded by Mr. Martin to amend the minutes from April 5, 2021 and voted 3-0-2 by roll call: (Ayes: Ms. Gardner, Mr. Martin, Mr. Benson, Abstain: Mr. Snyder-Grant, Mr. Charter)

7. Review Draft Governance Agreement for Regional Emergency Communication Center with Concord

Police Chief Joseph O'Connor, Fire Chief Tom Judge, and Town Manager Stephen Crane from Concord, and Police Chief Rich Burrows and Fire Chief Robert Hart from Acton attended the discussion regarding the proposed draft Governance Agreement for a Regional Emergency Communications Center (RECC). The proposal is a combined communications center with Acton and Concord for public safety dispatch purposes. There would be a Board of Directors to include both Town Managers, and an Operations Committee consisting of both Police and Fire Chiefs of both towns. Recommended funding will go to the Select Boards of both Acton and Concord, as well as each Finance Committee for approval, to operate the dispatch center. The Operations Committee will oversee the Communications Center. Staffing would consist of a contracted service subject to a lease as a stand-alone district. Both Town Managers are reaching out to the unions for meetings, as well as reaching out to the Middlesex County Retirement System for the possibility of adding the potential district employees to the system. Regional Dispatch Centers receive financial support from the State compared to stand-alone centers that rely on town budget limitations, specifically towards capital projects for routine maintenance and upgrades. The Board will re-visit the final draft on May 24, 2021 for a formal vote. The Board took several questions and comments from the public.

8. Presentation of Feasibility Study for New Department of Public Works Facility

The Board listened to a presentation by John Comeau and Mike Richard from Weston & Sampson regarding the findings of a feasibility study for the Department of Public Works and Transfer Station leading up to Annual Town Meeting to consider replacing the current 50 year old structure. The estimated total costs range for the DPW facility and Transfer Recycling Station is \$30 – 32.1 million. Several Board Members supported moving toward a new DPW facility. There is a Town Meeting article to advance to the next phase of design for \$1 million, with \$200,000 coming from the Transfer Station Enterprise Fund.



9. Discussion of the Acton Center Traffic Improvement Project

DPW Director Corey York presented an update on the design concept. The requested funding for \$886,000 provides roadway improvements. The plans for a 75% design completion is scheduled to be implemented by late summer, and having complete streets with bike lanes and lane re-configurations. Parts of the plan also include the parking entrances to Town Hall to improve safety. A final design is expected by September/October of 2021.

10. Presentation of Proposed Community Center Concept

The Board listened to a presentation from a local citizen group regarding interest in the re-use of the Kmart parcel for a Community Center. The Board took several comments from the public. The Board requested Mr. Charter and Mr. Mangiaratti meet with the representatives of the property owners to inform of the community interest for a possible community center at the location.

V. Consent Items

Ms. Gardner moved to approve consent items 11-23, seconded by Mr. Martin and unanimously voted by roll call: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin)

Mr. Snyder-Grant moved, seconded by Ms. Gardner to adjourn and voted unanimously by roll call vote: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin) Meeting adjourned at 10:40 PM.

Documents and Exhibits Used During this Meeting

- Agenda, May 17, 2021
- Sewer Program and Rates Presentation
- Class II Auto Dealer Application, Acton Auto Boutique, LLC
- Open Meeting Law Complaint, May 10, 2021
- Draft Governance Agreement for Regional Emergency Communication Center
- Department of Public Works Feasibility Study
- Meeting Minutes, April 12, 26, and May 3, 2021
- MassDOT Letter of Support
- Committee Appointment Recommendations, Lingya Zhou
- Right of Way Acquisition, 1 Beverly Road
- Right of Way Acquisition, 245 Main Street
- Accept Gift Memo, Recreation department from Insulet Corporation Dated
- Accept Gift Memo, Recreation Department from Patrick Gallagher Dated May 3, 2021
- Accept Gift Memo, Recreation Department from Brian Griffin Dated May 3, 2021
- Accept Gift Memo, Recreation Department from the Morrison Family Dated May 11, 2021
- One Day Alcoholic Beverage License Application, League of Women Voters
- One Day Alcoholic Beverage License Application, James Jackson



- One Day Alcoholic Beverage License Application, Linda Jones