



SELECT BOARD
MEETING MINUTES
JULY 25, 2022

7:00 PM

ACTON TOWN HALL, ROOM 204
472 MAIN STREET

I. Regular Business

Mr. Charter called the meeting to order at 7:00, further noting a quorum of members of the DPW Facility Study Committee in attendance and called that posted meeting to order.

1. Resident Concerns

Bill Klauer, Piper Road – questioned if the town has an operations policy in the event power is lost.

Charlie Kadlec, Paul Revere Road – commented on the DEI report from last meeting and no discussion following the result of the report. Requests a review of the DEI situation, and feels the concept of diversity is opposite to the goal of eliminating discrimination by identifying people by color, race, and perpetuating discrimination, feels the DEI report is useless and mirrors the DEIC report, commented on the title of the DEI position, concerned the group conducting the report were primarily women, and concerned that in a year if there is no money for the position that he would recommend eliminating it.

Corinne Hogseth, Seminole Road – concerned that the cost of the DEI position approved at Town Meeting for \$85,000, of which \$35,000 was to conduct a study and \$50,000 for a half-year salary, and the study recommended a paygrade starting at a step 17 which ranges from \$140,000 to \$206,000, is not what town meeting voted for.

Scott Smyers, Central Street – concerned about a politically-charged incident at the Discovery Museum which resulted in the arrest of an Acton resident, charged with three felony counts, concerned that the Board is consistent with past incidents (“Zoom bombing”) calling for emergency meetings to address the incidents and posting statements. Requested the Board treat the incident in a similar fashion, and requested the Chair and Town Manager review their redaction policy on Police reports.

Ruth Thatcher – requested an update on the completion of Gardner Playground
Nijan Datar, Wyndcliff Drive – concerned about the previous comment regarding the salary range of the DEI position, concerned about listing an article for a

specific amount for a salary and voters approving it at Town Meeting, and would like clarification on the authorization of approval of the salary.

2. Chair Update/Town Manager Update/Members Minutes

Mr. Mangiaratti announced that due to a power outage last week, Acton TV's equipment is temporarily unable to broadcast via YouTube but is livestreaming on the ActonTV website. Part of the ARPA funding received will be going towards upgrading to an electronic permitting system and plan on implementing it this summer and ready for full service by the end of the calendar year. Several home rule petitions approved at Town Meeting are progressing through the legislative process. There is also potential State funding to assist with NARA Park and Boston Area Gleaners, federal budget discussions may potentially award funding for the historic house behind Town Hall. A power outage last week affected 7,000 residences and businesses, Eversource brought in 10 large-scale generators positioned around town, addressed requests for cooling stations and encouraged people to go to the Public Safety Facility and offered free taxi rides. Mr. Mangiaratti issued a website newsflash containing the result of the DEI report and will start recruitment in August, corrected questions about the budget for the position, and Town Meeting vote.

Mr. Martin noted correction on his partial drafting of the DEIC report and edited in public session during DEIC meetings, the study group for the DEI position included a male, the decision on changing the title from officer to director was due to similar positions reporting to the Town Manager (e.g. Sustainability and Economic Development).

Mr. Snyder-Grant noted the Massachusetts House and Senate have sent a major climate bill to the Governor, H.5060, that includes a possible way for Acton to proceed to be able to regulate fossil fuel infrastructure in new construction and major rehab. The bill creates a pilot program to allow up to ten municipalities to try a fossil fuel ban, and would have to create a corresponding Home Rule Petition. The application could be accepted, however, towns must fulfill one of three housing-related requirements: Achieve their 10% affordable housing numbers, achieve a "safe harbor" status under the 40B program, or implement the zoning changes called for in the recent Housing Choice law that we have started researching. The quickest way forward for Acton would likely be the 10% affordable housing count, since we are quite close and since there are projects under consideration that could get Acton the rest of the way there. Commented on the stretch energy code opt-in which would make it difficult to build fossil fuel infrastructure that is still being finalized and once available it would require a Town Meeting vote and will testify to DOER the importance of stopping new fossil fuel infrastructure. The Town and the solar developers building a solar field on the former WR Grace site are in discussion regarding planning the Low Income Community Solar Program designed to give large credits towards energy bills for low-income residents but is stalled due to inaction of the DPU.

Mr. Charter noted filming in West Acton on the history of the area including the history of the West Acton Citizens Library with Acton TV, requested an update on the status of Gardner Field from the Town Manager at the next Board meeting, requested a discussion with the Town Manager regarding comments from the public regarding the incident at the Discovery Museum and redactions on the

Police report, concerned about moving towards electrification of new construction and rehab buildings that Eversource will have the infrastructure to be able to handle the grid with additions of air source heat pumps.

Ms. Nagireddy noted that discrimination against race is not “color-blind” and thus action taken to address this discrimination cannot also be “color-blind”

II. Public Hearings

3. Use Special Permit #6/3/2022-486, 97 Great Road

Mr. Charter read the public hearing notice. Representing the applicant was Leo Bertolami. The petitioner requested to establish and operate a veterinary care facility not to exceed three kennels and only for light surgeries. The only change requiring a hearing was the signage. **Mr. Martin moved, seconded by Mr. Snyder-Grant to approve the Use Special Permit at 97 Great Road for an animal use hospital with the following conditions: this decision is consistent with the Master Plan and in harmony with the purpose and intent of the Bylaw, would not be detrimental or injurious to the neighborhood in which it will take place, is appropriate for the site in question, and complies with all applicable requirements to this Bylaw and approved unanimously.**

Entertainment License, Frolic & Detour, 3 Nagog Park

Mr. Charter read the public hearing notice. The applicant was not present at the hearing. Mr. Mangiaratti explained the application and the request for music on Thursday-Saturday from 7:00 PM – 10:00 PM indoors only. Mr. Charter noted a recent incident two weekends ago having live music outdoors resulting in noise complaints and was noted they did not have a license to allow for entertainment. Mr. Mangiaratti noted that the owner worked with Town staff to comply with the law, resulting in this hearing.

Linda, Nagog Woods – resident abutting the restaurant and requested that the owners keep the doors closed when playing music indoors due to the noise carrying into the neighborhood. **Mr. Martin moved, seconded by Ms. Arsenault to approve the entertainment license with the condition the entertainment will be inside with the doors closed, and approved unanimously.**

III. New/Special Business

4. Update on the Department of Public Works Feasibility Study

Mr. Charter introduced Engineer John Comeau from Weston & Sampson who made a presentation of the feasibility study and an update for the Department of Public Works facility project that is included in the Docushare folder packet for the meeting. The current facility is over 50 years old, and the population has increased since 1970, and the current building does not meet current building codes and is too small for its current operation and storage. Mr. Comeau proceeded to show the current conditions of the Public Works building. They looked at a preferred alternate scheme of a new facility keeping the one-hundred-foot buffer and vegetative storage to shield the neighborhood, moving the fuel island closer to Forest Road, keeping the existing salt shed, and having a south facing orientation for solar roof panels and in keeping with the Sustainability goals of the town, install electric vehicle charging stations and other amenities

including wastewater management. The estimated constructed cost is approximately \$27 million, with a total project cost of \$32 million to \$34 million. Next steps would be if the town would want to two-phase approach to appropriate funds for additional design services, develop design documents for 60% completion, and Town Meeting approval of final design and construction.

Mr. Snyder-Grant questioned if the current number of vehicles and equipment is required – Mr. Mangiaratti noted that the vehicles are needed especially in winter months for plowing and during the other seasonal periods for day-to-day operations but could look into future needs, what the window is towards the Town taking ownership of the solar field on the former town landfill, Mr. Charter noted the roof is about 15 years old, and unsure of the current age of the landfill solar array but there is a purchase option in the agreement for future ownership, questioned if there was another location considered for the facility, Mr. Comeau noted the biggest challenge is equipment/vehicle maintenance and storage.

Mr. Martin questioned if the transfer station was included in the study – both are being viewed as separate projects, questioned heating the garage at sixty degrees, and noted that an assessment be made to accommodate the increasing electric fleet. Mr. Charter noted that the Transfer Station has so many moving parts that the Committee decided to focus solely on the DPW facility. Ms. Nagireddy asked if the sustainability measures mentioned in the presentation are the only ones that will be considered in the project moving forward – the study committee mentioned that they will continue working with different committees and town staff to ensure the environmental sustainability of their project.

Roland Bourdon, DPWFSC - concerned about a fully electrical operating system infrastructure and recommended installing battery backup in case of power failure.

Ann Chang, DPWFSC – thought the life expectancy for the solar array was 20 years and the efficiency degraded by a percentage for each year of use and would like to see future solar installations last 50 years. Asked for Select Board to connect the DPW group with the Green Advisory Board

Nijan Datar – questioned the reliability and cost-effectiveness of geothermal heating, concerned about the life span and improper disposal of solar panels.

Scott Smyers, Central Street – questioned about recycling of the toxic batteries from replacing vehicles and materials in the transfer station or to where it would be transported, concerned about the invasive plants on the property.

Alissa Nicol, School Street – same concern regarding the invasive plants on the property, heating the facility to sixty degrees, questioned if the committee has considered radiant heating with the concrete flooring.

Mr. Snyder-Grant was interested in the Finance Committee's and Staff's analysis of how the borrowing will affect other plans or projects in the Capital Plan for FY24 and FY25, and noted that battery backup can store up energy if needed for use when electricity goes out.

Mr. Martin noted that most lithium batteries are recycled

Ann Chang, suggests relocation of the fuel tanks as soon as possible, as their warranty is close to expiration and their location is in the middle of the current property.

At this point, the DPW Facility Study Committee meeting adjourned.

5. Discuss and Approve Charge for the Committee to Commemorate the 250th Anniversary of the Commencement of the American Revolution (250 Committee)

Mr. Charter introduced the draft charge of the proposed “250 Committee” as one of the Select Board goals. Mr. Martin suggested adding coordination with surrounding towns. Mr. Charter mentioned the possibility of a social studies department head from the AB School District being a member, questions about including Independence Day as well.

Dave Lunger, Wampanoag Drive – feels that the charge is too broad and should focus solely on Patriots’ Day, and should be a year-long educational event. It should not include the anniversary of the Civil War, needs to include community members at large, should include neighboring towns’ events.

Corrine Hogseth – questioned about including Civil War events and stay focused on events leading up to the Revolutionary War, should include a U.S. History teacher on the committee, should not be a member of the School Committee, and room for citizen participation.

Scott Smyers – Agrees with previous comment, volunteers to be on the committee and appreciates the effort for this committee and events.

Amber Klauer, Piper Road – important to focus on the April 19th event.

Nijan Datar – commented on focusing on the April 19th event and not on the Civil War or Native Americans, concerned about the composition of the committee and concerned that people in the committee will have alternative plans towards anti-American tactics and display hostility.

Mr. Snyder-Grant suggests approving the charge as is and revise as needed to get the process started, Mr. Martin suggested to extend the celebration through July 4th.

Mr. Charter proposed to bring a revised charge back to the Board at the August meeting.

IV. Consent Items

Mr. Snyder-Grant moved, seconded by Mr. Martin to approve consent items 7-19 inclusive and approved unanimously.

Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved unanimously. Meeting adjourned at 9:00 PM.

Documents Used

- Agenda, Select Board, July 25, 2022
- Use Special Permit #6/3/2022-486
- Entertainment License Application, Frolic & Detour
- Draft 250 Committee Charge
- Meeting Minutes, May 23 and July 11, 2022
- Executive Session, July 11, 2022

- Town Manager Contract
- Committee Appointment, Kate Warwick
- Committee Appointment, William Klauer
- Request for Use of Town Roads for Bikes Not Bombs
- Amended One Day Alcoholic Beverage License Application, District 14 Freemasons
- One Day Alcoholic Beverage License Application, Chantal Kuhn
- Accept Gift Memo from Recreation Department for \$100 from Thomas Lockerby & Kathleen McCrickerd Dated July 5, 2022
- Accept Gift Memo from Recreation Department for \$100 from Brian Dranka Dated July 11, 2022
- Accept Gift Memo from Recreation Department for \$300 from Sandra Taylor Dated July 18, 2022
- Refund Request from Cemetery Division for \$2,400 Dated July 19, 2022
- One Day Alcoholic Beverage License Application, Subto New England