



SELECT BOARD
MEETING MINUTES
FEBRUARY 6, 2023

7:00 PM

ACTON TOWN HALL, ROOM 204
472 MAIN STREET AND VIRTUAL MEETING

Present: Dean Charter, Jim Snyder-Grant, Himaja Nagireddy, Fran Arsenault, David Martin, Town Manager John S. Mangiaratti, and Assistant Town Manager Mark Hald

I. 1. Resident Concerns

No comments

2. Chair Update/Town Manager Update/Members Minutes

Mr. Mangiaratti had no updates. Mr. Charter reminded people about election season with a number of open positions to be filled. The last day to pull nomination papers is March 3rd and last day for submission is March 7th. Calling for a special meeting of the Select Board on February 13 regarding a proposed Firearms Business bylaw and looking for public input.

Mr. Martin commented on the 53 River Street dam removal getting ready to go out to bid.

Ms. Arsenault thanked the Town Manager for the election information on the town website. Thanked Vivian Birchall for her ActonTV series regarding Black History month. Discovery Museum will be hosting Bessie's Pop Up Store for free clothing available and will be collecting clothing all month. The League of Women Voters hosted a workshop on Saturday about starting a town newspaper and was filmed by ActonTV.

Mr. Snyder-Grant reported on a conversation with the Transportation Advisory Committee regarding recent accidents and improving road safety. Recommending physical streetscaping of certain roads and areas in town; sidewalks need to be placed and mailboxes would need to be adjusted.

Ms. Nagireddy noted a Board of Health meeting to discuss the Blue Wave Technologies tomorrow night.

II. Public Hearings

3. 7:10 PM Change of Manager, Section 15 Beer and Wine License from Kevin Fry to John McCarthy, RBSBW, Inc. d/b/a Roche Bros, 387 Massachusetts Ave
John McCarthy, store manager and Jim Sperber, counsel to RBSBW representing proposed new manager. Mr. Martin questioned if Mr. McCarthy was new to

Roche Bros, only new to Acton. **Mr. Martin moved, seconded by Ms. Arsenault to approve a change in manager for a section 15 beer and wine license from Kevin Fry to John McCarthy, RBSBW, Inc d/b/a Roche Bros at 387 Massachusetts Ave and approved unanimously.**

III. New/Special Business

4. Introduction of State Representative Simon Cataldo to the Select Board

Representative Cataldo introduced himself as the recently-elected Representative. Rep. Cataldo provided an introduction and summary of his work, offered his contact information, and discussed daily communications between the two other elected officials serving and representing Acton, Representative Dan Sena and Senator Jamie Eldridge. Filed 24 bills in the Legislature in addition to co-sponsoring bills. Encouraged the town to provide preferences for what committees Rep. Cataldo sits on and to bring up any issues the town may be facing with communicating with state agencies.

5. Approve Draft Request for Proposals (RFP) for Disposition of 3 and 13 School Street

Economic Development Director Julie Pierce presented an overview of the draft RFP. The former fire station at 3 School Street is an underutilized property. There have been previous attempts to sell 3 School Street that have failed due to the lack of parking. Mr. Snyder-Grant questioned about the scoring system in the RFP, and what it does for non-profits that would be interested in putting in a bid, and how that would balance the loss of the tax revenue; Ms. Pierce noted that there are points for community services vs. additional tax revenue.

Lauren Rosenzweig Morton, 26 Marshall Path – need to consider previous agreements with Exchange Hall.

Jim Willis – South Acton Congregational Church has been using the 13 School Street parcel for parking, and questioned if they will still be able to utilize the lot in the future or could be considered part of the RFP, and also to consider the future of the development of South Acton.

Amber Klauer, Piper Road – noted that Faulkner House and Jones Tavern will host events that the community shows up for, added the concern about the use for the South Acton Congregational Church for parking, and the community services the church plays with many programs offered to the public.

Bill Klauer, Piper Road – had questions about the photos used for the RFP as they appear to be dated, feels the building at 3 School Street could be sold without the parking lot to be included. Looking to provide protection for the flagpole on the property with the memorial listed on it named Quimby's Corner.

Ross Allen, minister of South Acton Church – urges to retain parking for the congregation at 13 School Street, with currently 50 members.

Terra, Massachusetts Ave – supports the South Acton Church and its services, encourages the building be used for community services and not to developers.

Franny Osman, Half Moon Hill – values the property to assist the South Acton Church and community services.

Mr. Martin noted little interest in previous attempts for the civil defense building and does not want to see it deteriorate, would like to see mixed use on the parcel, could work on the parking issue with the church.

Ms. Arsenault noted the parcels have always been on the table with the HDC, and would support a mixed-use plan. Noted that community parking in the back of the building across the railroad may not be impossible.

Mr. Snyder-Grant suggested a second scale for projects that provide weekend access for parking purposes. Possibly extend the scale of parking to include public parking that would extend the points scale rating in the RFP. Ms. Nagireddy agreed with Mr. Snyder-Grant's suggested options.

Mr. Charter in favor of moving forward with the RFP.

Mr. Martin moved, seconded by Ms. Arsenault to approve the Request for Proposal for Disposition of 3 and 13 School Street and approved 4-0-1 (Mr. Snyder-Grant abstain).

6. Approve New Street Lighting in West Acton

Economic Development Director Julie Pierce presented an update regarding the potential for additional lighting of 3 to 6 new streetlights to existing utility poles.

Mr. Charter questioned which poles were being considered. Mr. Snyder-Grant questioned about accident statistics related to lighting, a map of luminance of current light poles, and how additional light would change the current setup. Mr. Charter recommends having the proposed light on a dusk-to-dawn setup. Mr. Martin agrees about the need to add more lighting, given this is a pedestrian-heavy area, with the possible exception of pole #50 at 2000 lumens. Ms. Pierce recommends adding new lighting around the crosswalks. Ms. Arsenault suggests conducting a study on the need for additional lighting. Mr. Mangiaratti noted that the only complaints Town Hall receives is about vehicular speeding and pedestrian safety and feels that it is appropriate to add as much lighting the Board deems necessary to prevent any potential accidents. Ms. Nagireddy supports adding more lighting.

Alissa Nicol, School Street – concerned about not identifying an issue or a problem and that the thought is about people's feeling it is too dark and not on studies, and speed limit 30 MPH, the cross walk is placed a crest of a vertical curve, and that a traffic engineer can identify best placement for the need for additional lighting. Suggests a feasibility study with public outreach.

Tris W – questioned about Mass. Ave being a State road, noted special regulations for installing lighting, the change to LED has increased light pollution in her neighborhood and stayed on until dawn, suggest an approval process for adding additional street lighting.

Charlie Kadlec, Paul Revere Road – noted the amount of time the Select Board has been using on the topic that costs the least amount of money.

Lane Parker, Prospect Street – appreciated the recommendation of not including pole #50 for lighting, interested in knowing any traffic incidents in the area, interested in timers, and the need for a quick fix.

Terra, Massachusetts Ave – agrees with traffic study, wildlife concerns with luminescence, the current speed limit in the area to be reduced, timers on lights, motion sensors, cost should be borne by the building owners and should wait for the best answers.

Dan Neil, Parker Street – was in West Acton for the Holiday Stroll and noted how dark it was in that location, consider the vulnerable populations and maneuverability getting into cars. Noted using a layered approach to address immediate safety concerns and doing more long-term light planning. Mr. Snyder-Grant recommends that for future requests there be a policy on pedestrian safety in place to refer to for expert input prior to making decisions on adding additional lighting.

Mr. Martin moved, seconded by Ms. Nagireddy to approve lighting plan as outlined by the Economic Development Director except for pole 50 with light town staff consider appropriate with a color of 3000 Kelvin or warmer and approved with a 3-2 vote (Arsenault and Snyder-Grant nay).

7. Discuss Proposed Economic Development Resolution for Town Meeting

Dan Malloy, Economic Development Committee presented to the Board to endorse a warrant article for an economic development resolution supporting a long-term economic development plan.

Mr. Mangiaratti would take on a 2025 Economic Development plan with town staff if the Board directs. Mr. Martin supports moving forward with an economic development plan. Ms. Nagireddy notes the plan can help Acton be a more inclusive town with diverse businesses. Mr. Snyder-Grant notes that just increasing the number of businesses may not naturally reduce the tax burden and this is something the town should work on.

Alissa Nicol, School Street – appreciates work done on the presentation and noted open space does bring in a return to the environment.

Terra, Massachusetts Ave – develop a policy to increase commercial and residential, incorporate sustainability goals and not support development on non-developed land, support tax incentives for small business and not large corporations.

Mr. Martin moved, seconded by Ms. Arsenault to place the proposed economic development resolution article on the 2023 Annual Town Meeting Warrant and for the Select Board to support the article approved unanimously.

8. Approve Verizon of New England, Inc. Contract

Rich Logan, Cable Advisory Committee – Verizon and the CAC settled the negotiations for renewal of the cable contract with the Town of Acton. The only

change is the capital. Attorney Bill Solomon noted the contract is one of the strongest in the Commonwealth.

Mr. Charter moved, seconded by Mr. Martin to approve the Verizon of New England, Inc. contract and approved unanimously.

9. Discuss Open Positions on West Acton Citizen's Library Trustees

Mr. Mangiaratti recognized past Trustees for their service and updated the Board regarding the two vacancies on the Citizens' Library Board of Trustees.

Recommends the Board work with the remaining trustee and meeting on March 6th to appoint 2 members to serve, and that the Board would put forth to Town Meeting for electing three trustees. Also, to work with the Trustees to create bylaw on the role of the Trustees. Advertise through newsflash, social media to join the meeting on March 6th and appoint 2 new members until the election at Town Meeting. Mr. Charter proposed using the same procedure as from August 22nd to vet trustees and vote for two new trustees. Mr. Snyder-Grant suggested clarifying the role of the West Acton Citizens' Library Trustees and the identification of the West Acton Citizens' Library as a branch of the Acton Memorial Library. Ms. Nagireddy suggested the vote be a 4-2 majority with the remaining trustee.

Lauren Rosensweig Morton, 26 Marshall Path – concern about the trustees cannot collaborate outside of a public meeting and encourages the Select Board to reinforce that when deciding appointing new trustees and consider applicants that are familiar with the values of the West Acton Citizens' Library and take into consideration for the establishment of a bylaw.

Alissa Nicol, School Street – encourages giving the appointed trustees more time than a month and a half; article 55 from the 1962 Annual Town Meeting which names it as the West Branch of the Memorial Library and have had three elected trustees that have had oversight of the Citizens' Library and encourages they continue what they have previously been active in the library's operations.

Terra, Massachusetts Ave – noted an article written by the Clerk of the West Acton Citizens' Trustees from 1967 the library not specifically listed as a branch of the Memorial Library and give the trustees a year to re-group.

Karen Boutet, 24 Windsor Ave – encourages giving the trustees the time to work things out.

Ms. Nagireddy moved, seconded by Mr. Snyder-Grant to appoint 2 trustees on March 6th for the West Acton Citizens' Library and approved unanimously.

10. Transmit Fiscal Year 2024 Municipal Budget to Finance Committee

Mr. Mangiaratti recommends transmitting the FY24 Budget to the Finance Committee. Mr. Snyder-Grant questioned if the budget to be transmitted to the Finance Committee was as presented or the bottom line. Mr. Mangiaratti noted the budget to be as is was presented.

Mr. Charter moved, seconded by Mr. Martin to adopt the Town Manager's proposed fiscal 2024 municipal budget and transmit to the Finance Committee and approved unanimously.

11. Consider a Proposed Warrant Article for Ranked Choice Voting in Local Elections

Sam Fielding presented to the Board reasoning to support and consider a warrant article citizen petition for proposing approving ranked choice voting in Acton. Majority of board members were in general support of the warrant article.

Deena Ferrara, Wachusett Drive – contacted the Clerk's Office about considering ranked choice voting, and will get back on how much new software would cost to upgrade the voting machines. Mr. Fielding noted the software would cost \$8,000 Charlie Kadlec, Paul Revere Road – concerned that the proposed system is confusing and the total number of voters may not understand ranked choice voting.

John Norton, Central Street – opposes ranked choice voting and should remain that the candidate with the most votes wins.

Mr. Martin moved, seconded by Ms. Arsenault to place the ranked choice voting article on the 2023 town meeting warrant and allow the petitioners to improve the summary description with an example so Town Meeting voters can easily understand how the system works and approved by a 4-1 vote (Charter – nay)

12. Discuss Warrant Article Recommendations

Mr. Charter recommended the Board consider only warrant articles 23-40 for recommendations. Mr. Snyder-Grant held article 24. Mr. Martin held article 25, Mr. Mangiaratti requested to hold article 26.

Mr. Martin moved, seconded by Mr. Snyder-Grant to place article 23, and 27-40 inclusive on the Town Meeting Warrant and to recommend them and approved unanimously.

Mr. Snyder-Grant held article 24 due to no text provided. Mr. Mangiaratti noted that there is a Personnel Committee and have not met for some time and that the current policy does not reflect the current organization and will be omitting the article. Mr. Martin held article 25 due to lack of text. Mr. Hald noted that there is a discrepancy between the Town Charter and the General Bylaws regarding the membership count of the Historic District Commission. Mr. Mangiaratti wanted the Board to know that the parcel would be considered for general municipal purposes and currently has an outstanding sewer betterment and the betterment would be forgiven if accepted.

Mr. Martin moved, seconded for the Select Board to accept and recommend articles 2 and 3, and amended by Mr. Martin to accept and recommend article 2 and approved unanimously.

13. Approve Change to ARPA Rental Assistance Funds to Include Emergency Assistance Mortgage, Utilities and Childcare

Mr. Mangiaratti noted this was not a new request for ARPA funding just allowing more flexibility in spending. **Mr. Charter moved, seconded by Mr. Martin to approve the change to ARPA rental assistance funds to include emergency assistance mortgage, utilities and childcare and approved unanimously.**

IV. Consent Items

Mr. Charter held consent item 17 and requested to pass over as the Board already took action at a previous meeting.

Mr. Martin moved, seconded by Ms. Arsenault to approve consent items 14-16 and 18-19 inclusive and approved unanimously.

Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved unanimously. Meeting adjourned at 10:30 PM.

Documents Used

- Agenda, Select Board, January 23, 2023
- Change in Manager Application, Roche Bros Supermarket
- Draft RFP for 3 and 13 School Street
- Email from Andrea Ristine with Request for Additional Lighting in West Acton Dated December 27, 2022
- Map of Current and Proposed Additional Lighting in West Acton
- Proposed Town Meeting Article, Economic Development Committee
- Economic Development Committee Presentation
- Verizon of New England, Inc. Contract
- Ranked Choice Voting Warrant Article
- Ranked Choice Voting Presentation
- ARPA Memo Regarding Rental Assistance Funds from Laura Ducharme Dated January 27, 2023
- Meeting Minutes, January 23 and 27, 2023
- Email from Annie Zampitella Dated January 13, 2023 Requesting the Use of Town Roads for the National Brain Tumor Society Ride
- Memo from Julie Pierce, Economic Development Director Regarding the 2023 Acton Boxborough Farmer's Market Dated January 23, 2023
- Email from Bettina Abe Requesting Appointment to the Land Stewardship Committee Dated January 23, 2023
- Memo from Melissa Settipani-Rufo, Recreation Director Requesting a Donation Acceptance Dated January 19, 2023
- Memo from Julie Pierce, Economic Development Director Requesting a Donation Acceptance Dated January 23, 2023