



SELECT BOARD  
MEETING MINUTES

MARCH 18, 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 Thomas Begin

**I. Regular Business**

1. Resident Concerns

Terra Friedrichs, Mass Ave – questioned if public comments will be allowed for the bond item discussion; discussed the citizens petitioned for a special town meeting that she collected signatures for this past weekend and noted it was a non-binding article;

Miriam Lezak, High Street – questioned how much this special town meeting will cost

2. Chair Update/Town Manager Update/Members Minute

Mr. Snyder-Grant noted the large agenda for this meeting; announced that on March 19<sup>th</sup> in room 204 at Town Hall, the Planning Board will make their recommendations for the zoning articles to be placed on the Town Meeting warrant.

Mr. Mangiaratti announced to the Board that the Acton Police Department will be holding their annual Citizens Academy beginning on April 2<sup>nd</sup>; additionally, Detective Ana Dapkas has been assigned to the Special Services Division as a School Resource Officer; he indicated that the updated goals memo was shared with the Board and added to the extra information folder; voter registration and mail in ballot applications deadline for the annual town election and annual town meeting is April 19, 2024; the Federal Government announced rules requiring ARPA projects to be under contract by end of calendar year and is currently working on an update for the next meeting that will include a presentation on recommendations for the Board to consider to comply with requirements; the Historic District Commission held a public hearing on the review of 17 Woodbury Lane reuse project and particularly addressed if the windows can be preserved; he thanked the Council on Aging and Acton TV for recently broadcasting Java with John live this past Friday; the Town is seeking comments on the complete streets concepts for West Acton Village; a workshop was held earlier this month and request the public to send in comments or fill out the survey by March 22<sup>nd</sup>.

Ms. Nicol reminded the public that the Acton Water District's Annual Meeting is on March 20<sup>th</sup> at the Junior High auditorium beginning at 6PM; she reminded the public that tomorrow is the deadline to submit comments on ranked choice voting and noted that the public can send emails to the Chairs and Legislators at the State level; Citizens' Library Governance Advisory Committee is holding its first meeting next week in Room 9; Acton Conservation Trust held its Annual Meeting and discussed the meeting she will be holding office hours with David Martin at Town Hall in Room 9 on Thursday, March 21<sup>st</sup> from 3:00 PM – 5:00 PM.

Mr. Charter announced that the Acton Lions Club hosted a St. Patrick's Day dinner at the Senior Center on Sunday; the Acton 250 Committee has a merchandizing webpage through the Acton 250 website and a portion of proceeds will help pay for special programs; their next speaker is JJ Bell on April 2<sup>nd</sup> in Room 204.

## **II. New/Special Business**

### **3. Announce the Colonel Francis Falkner Sr. Exemplary Volunteer of the Year Award Nominees**

Select Board members announced their nominees. Mr. Snyder-Grant nominated Franny Osman, Ms. Arsenault nominated Janet Adachi, Mr. Charter nominated Ellen Feinsand, Mr. Martin nominated Terry Maitland, and Ms. Nicol nominated Sampada Salunkhe. The ceremony will take place on May 16, 2024 in the meeting room at the Memorial Library.

### **4. Vote to Approve the Issuance of \$4,900,000 General Obligation Municipal Purpose Loan of 2024 as More Particularly Described in the Document Prepared by Bond Counsel Distributed to the Board**

Marianne Fleckner, Director of Administration and Finance updated the Board on the work behind producing the bond documents for approved money from previous Town Meeting votes. Ms. Fleckner announced that the bid that went out produced 9 offers due to the Town's AAA rating rate and resulted in better than expected interest rates, with the selected bid providing a 2.77% interest rate.

**Ms. Nicol moved, seconded by Mr. Martin to approve the issuance of \$4,900,000 general obligation municipal purpose loan for 2024 as more particularly described in the document prepared by bond counsel distributed to the Board and approved unanimously 5-0.**

### **5. Discuss Petition for Special Town Meeting**

Mr. Snyder-Grant met with staff, Town Manager, and the Town Moderator to discuss the petition for a Special Town Meeting, and was hoping a Special Town Meeting could be held during Annual Town Meeting and was informed that legally it could not. Mr. Mangiaratti announced that the only week it could be held is during school vacation week, specifically on April 17<sup>th</sup> and would be held in the high school auditorium. If the Board agrees to vote to hold a special town meeting town staff will be working on voter registration deadlines and posting the warrant. Mr. Snyder-Grant noted that the petitioner cannot retract the petition now that the signatures have been verified. Mr. Charter noted frustration with the

history of previously submitted petitions that are at great cost to the Town and are non-binding. Mr. Martin noted some citizens mentioned they thought the petition was for a current article at Annual Town Meeting and not calling for a Special Town Meeting. Mr. Mangiaratti noted the estimated cost for the Special Town Meeting is between \$5,000-7,000. Ms. Nicol noted that town staff have worked for over 2 years on zoning articles in order to prepare them for consideration at Annual Town Meeting and have done work involving citizen engagement with many opportunities for input; she suggested that a better strategy to achieve goals would be organizing other residents early in the public process.

**Mr. Martin moved, seconded by Ms. Nicol to call a Special Town Meeting on April 17, 2024 at 7pm at the Acton Boxborough Regional High School as required to vote on the non-binding article submitted as a citizen petition signed by more than 200 registered voters on March 14, 2024 and approved unanimously 5-0.**

Charlie Kadlec – commented on the waste of time and money for one non-binding article

Tom Beals, School Street – commented on the cost of \$15,000 for the last special Town Meeting and perhaps change the bylaw to make the process be more available be more consistent with the town's logistics

Adrian Hancock – signed the petition and admitted not reading the introduction sufficiently, suggested changing the wording on the petition highlighting it is for holding a special town meeting

Ann Chang – suggested to make petitioner pay for the cost, need true accounting of the total costs to hold a Special Town Meeting so the public knows how much the town is spending to hold it, suggested changing the 45-day bylaw requirement so it could coincide with the Annual Town Meeting, and have a fall town meeting for the zoning articles; she noted that there have been impact studies on several zoning locations in town within the past 3 years.

Franny Osman – noted it is about what is allowed in the MBTA zoning areas and questioned if the petition could be resubmitted

Charlie Kadlec – reminded the Board that is a non-binding article and even if passed the Select Board does not have to act upon it

Jane Moosebruker, Brewster Lane – involved in the article and petition as the primary sponsor, , believes the Governor has not done enough to support equitable housing and believes the Town needs for more affordable housing, concerned that if the MBTA zoning article passes at Town Meeting that developers could build expensive housing, concerned about sewer capabilities, water availability and safety, and traffic concerns;

Mr. Mangiaratti suggested the Board assign a member to speak on this article at Special Town Meeting, and that both the Select Board and Finance Committee would make a recommendation on the article.

Pat Clifford, Olde Barn Way – questioned if there would be any other articles added to the Special Town Meeting warrant.

Mr. Mangiaratti recommends to just have the one article for the Special Town Meeting and that it should appear as presented in the petition to reflect what the citizens signed. Mr. Martin suggests using the opening pages to explain how the town got to this for the purpose of requiring to hold the Special Town Meeting. Terra – requested to add a summary to the warrant article

Mr. Snyder-Grant noted that the summary was not included in the citizen petition, and the proponent would have the opportunity to present at the Special Town Meeting, also mentioning that people could call or email the proponent if they have questions.

6. Approve Proclamation for Arbor Day, April 26, 2024

Mr. Charter read the proposed proclamation.

**Mr. Martin moved, seconded by Ms. Nicol to issue a proclamation as read by Mr. Charter and approved unanimously 5-0**

7. Approve Proclamation for Acton Garden Club

Mr. Charter read the proposed proclamation for the Acton Garden Club.

**Mr. Martin moved, seconded by Ms. Nicol to approve the proclamation as read by Mr. Charter and approved unanimously 5-0**

8. Discuss Potential Tax Incremental Financing Plan for Natural Stonewall Solutions, 42 Knox Trail

Mr. Mangiaratti updated the Board on this agenda item, mentioning that he was approached by the business owner, Troy Gunther and asked if the Town would be interested in entering a potential TIF over the next several years that would support his business. Kevin Kuros from the Massachusetts Office of Business Development was present remotely to discuss the economic development program offered at the State level by his office and presented the mechanics of the TIF agreement.

Catherine Usoff from the Economic Development Committee noted the committee's support for the town to enter into negotiations with the business's owner.

Mr. Martin encourages the program and supports entering in to TIF with the business.

**Mr. Martin moved, seconded by Ms. Nicol to direct the Town Manager to enter into negotiations with Natural Stone Wall Solutions to provide a local TIF (Tax Incentive Financing) agreement with the goal of getting it onto the 2024 Spring Town Meeting warrant and approved unanimously 5-0**

Tom Beals – supports the proposal, mentioned that if you reduce taxes on one entity it raises it for another, questions if people would note backlash on the support and why one company would be awarded and not another.

Mr. Martin explained that the TIF does not increase taxes for other entities; it only reduces future taxes on the investment made by the business for the duration of the agreement.

9. Approve Recommended Partial Removal of Bellows Farm Mill Dam and Authorize Chair to Sign Letter of Support for Dam and Seawall Grant Application  
Corey York, DPW Director discussed the current conditions and state of this dam, highlighting that the State has deemed this dam as unsafe, requiring the Town to begin addressing the issues. James Muriak, and Jennabay Sezen from SLR presented a brief presentation to the Board. Four alternatives regarding the dam removal were presented to Board members varying from lowest cost to highest cost. Mr. Muriak recommended the next steps include the extension of hydraulic modeling upstream, investigation of wells and water withdrawals nearby and engage public participation.

Mr. Charter supports the alternative for a partial dam breach and authentic canal will be retained, while maintaining the fish paths. Mr. Martin suggests going forward approving the partial removal and make the final decision after further public input.

**Mr. Martin moved, seconded by Ms. Nicol to ask the Town Manager to move forward with an grant application for a partial breach for the Bellows Farm Dam and authorize the chair to sign a letter of support for dam and seawall grant application and approved 4-1-0 (Snyder-Grant).**

10. Approve Withdrawal from the Acton Health Insurance Trust

Mr. Mangiaratti noted at a previous Select Board meeting that the town is actively transitioning employees and retirees from the Acton Health Insurance Trust (HIT) to MIIA and looking for a formal vote to withdraw from the Acton HIT and join MIIA.

**Ms. Nicol moved, seconded by Ms. Arsenault to move to approve the withdrawal from the Acton Health Insurance Trust and provide written notice of withdrawal to the Trust no later than March 31, 2024 and to join the Massachusetts Interlocal Insurance Association (MIIA) for the purposes of offering employees and Non-Medicare eligible retirees health insurance coverage effective July 1, 2024.**  
**And approved unanimously 5-0.**

11. Approve Policy Regarding Waiving Compensation for Appointed Positions

Mr. Mangiaratti discussed this with the Board, indicating this potential policy was drafted to address some confusion whether appointed officials or volunteers who are eligible for financial compensation may have the option to waive such compensation. **Mr. Snyder-Grant moved, seconded by Mr. Martin to approve a proposed policy to allow appointed officials to waive compensation if they choose and amended to include elected and appointed officials and approved unanimously 5-0.**

12. Update on Community Preservation Committee (CPC) Recommendations for Town Meeting

Mr. Charter updated the Board with the CPC's recommendations for project request for funding. The total of requested projects exceeded \$3 million this year, and noted CPC only has about \$1 million dollars available for these requests. Mr. Charter highlighted which projects the CPC recommended allocating funding too.

Board members will wait to weigh in on these allocations until the final CPC recommendations are completed and will ultimately be brought to Town Meeting.

13. Approve Reserved Parking Rates for both Maple Street Lots and Jones Field Lot through June 30, 2024

Mr. Mangiaratti discussed the current rates and program that is currently set to expire on March 31, 2024, asking for the Board to vote to approve these same rates through June 30, 2024.

**Ms. Arsenault moved, seconded by Mr. Martin to continue the Reserved Parking rates for both Maple Street lots at \$120.00 per month and the Jones Field lot at \$50.00 per month through June 30, 2024 and approved unanimously 5-0.**

14. Approve Proposed Pilot Program to Reassign Up to Ten Parking Spaces at the Maple Street Lot to Daily Parking

Mr. Mangiaratti discussed the current levels of daily usage at the Maple Street parking lots, noting they are currently underused due to declines in long term reserved parking permit. Mr. Mangiaratti indicated that the Town would like the Board to consider supporting a pilot program for daily parking at these lots for up to 10 spaces, noting residents who would look to use these spots would be able to do so through an app, similar to other communities, and that the rates would be at premium level with the intent of encouraging users to purchase a reserved parking pass for these locations instead.

**Mr. Martin moved, seconded by Ms. Nicol to establish a pilot program to create up to ten daily commuter parking spaces at 1 Maple Street or 19-21 Maple Street at a rate of \$8.00, effective May 1, 2024 and approved unanimously 5-0.**

15. Approve Tax Impact Document for Select Board Webpage

Mr. Snyder-Grant updated the Board on the conversations held at the most recent ALG meeting, specifically mentioning that the consensus of ALG was that they would like to create a document that lists the potential tax impact with a \$6.6 million override that includes reserving \$1.2 million in excess tax levy. He also iterated importance that the information be clear for the public to fully understand. Board members suggested one document be created and posted that would show the tax impact associated with passing of the override, define in that document what untaxed levy capacity means for residents, and provide concrete information to the public.

Charlie Kadlec – commented that not many people understand what excess tax levy means, and people will want to understand that the override number is for 6.6 million.

Board members made several suggestions on updating the current document. **Mr. Martin moved, seconded by Ms. Arsenault to publish the format of the document the Town Manager had on the screen with word improvements made by the Town Manager and approved 4-0-1 (Charter)**

**III. Consent Items**

**Mr. Martin moved, seconded by Ms. Nicol to approve consent items 16-24 and approved unanimously 5-0.**

**IV. Meeting Evaluation**

Mr. Snyder-Grant offered Mr. Charter to comment on the tax impact document during his meeting evaluation and noted his first vote against an item approved by a majority of the Board. Mr. Martin requested to discuss Town Meeting Warrant articles at next meeting and assign members to articles, and also for Special Town Meeting article and request Fran ask the EDC to draft a TIF policy. Mr. Charter felt that tax impact document was heavy on how to get the override passed rather than providing clarity to the taxpayers. Mr. Martin offered to work with other members on the tax impact document as needed and possibly discuss at a future meeting.

**Ms. Arsenault moved, seconded by Mr. Martin to adjourn and approved unanimously 5-0. Meeting adjourned at 10:04 PM.**

#### **Documents Used**

- March 18, 2024 Agenda
- Citizen Petition for Special Town Meeting
- Proclamation for Arbor Day
- Proclamation for Acton Garden Club
- Memo from the Economic Development Committee Dated March 12, 2024
- Natural Stone Wall Solutions Presentation
- Memo from Thomas Begin Dated March 18, 2024
- Local Incentive Mechanics Slide of A TIF
- Bellows Farm Dam Removal Feasibility Study
- Memo from John S. Mangiaratti Regarding Vote to Withdraw from Acton Health Insurance Trust Dated March 15, 2024
- Memo from Finance Department Regarding Commuter Reserved Parking Rate Recommendation Dated March 18, 2024
- Memo from Finance Department Regarding Maple Street Commuter Parking Pilot Program Dated March 18, 2024
- Meeting Minutes Dated February 26 and March 4, 2024
- Proposed Responsibilities of Liaisons from select Board to Other Boards and Committees Dated February 29, 2024
- Memo from Town Clerk Office Requesting Appointments to Board of Registrars Dated March 8, 2024
- Memo from Maura Haberman Requesting a Donation Acceptance from Direct Access Therapy Dated March 1, 2024
- Memo from Melissa Settipani-Rufo Requesting a Donation Acceptance from Shirley Dinsmore Dated March 6, 2024
- Email from Dean Charter Requesting Appointing Ann Chang to the Department of Public Works Building Committee Dated March 7, 2024
- One Day Alcoholic Beverage License Applications from Boston Events, South Acton Congregational Church, and Cynthia L. Shubert-Jett
- Use of Town Roads Agreement with Silver Unicorn Bookstore

