



SELECT BOARD
MEETING MINUTES
NOVEMBER 4, 2024

7:00 PM

ACTON TOWN HALL, ROOM 204
472 MAIN STREET

Present: Fran Arsenault, Alissa Nicol, Dean Charter, David Martin, Jim Snyder-Grant

Additional Attendees: Town Manager John Mangiaratti, Assistant Town Manager Thom Begin

I. Regular Business

1. Resident Concerns

None

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault announced that the Assessor's Office will be conducting data collection required by the Massachusetts Department of Revenue by inspecting each parcel in Acton and hired Vision Government Solutions to assist with the valuations. The State Presidential elections will be on November 5 with voting at the R.J. Gray Jr. High School from 7:00 AM to 8:00 PM. Secure drop-boxes are located at the entrance of Town Hall. The Veterans Day ceremony will take place at the Town Common on November 11 at 11:00 AM. The EPA will be hosting an open house for the W.R. Grace superfund site on November 12 at 6:30 PM in Room 204; for more information visit the town website. There will be a virtual meeting regarding the 2025 Housing Production Plan on November 13th at 7:00 PM. Ms. Nicol noted that the Water District Commissioners acknowledged water bills have increased due to PFAS removal improvements, less restriction than usual on summer outdoor irrigation, and that they experienced the highest amount of leaks in July; property owners can sign up for the Water Smart program at no cost. She announced the Habitat Inclusionary Zoning webinar will be held on November 6; the Citizens' Library Governance public forum will be held on November 13 at 7 PM in room 204 at Town Hall; and the Board of Health granted a variance for the 17 Woodbury septic system. Mr. Begin announced the Commonwealth is currently under red flag conditions and reminded residents to refrain from outdoor fires until the warning is lifted; November is Native American Heritage month and the DEI Office will be sharing resources on the Office's webpage; and the Sustainability Office will host a pumpkin smash event at the transfer station on November 6th from 12-2. Mr. Mangiaratti thanked the CPC and Acton voters for the funding to renovate the Isaac Davis monument and Veteran Services Officer James MacRae for obtaining funding to restore Veterans

monuments. He announced the Woodlawn Cemetery gates were recently restored with CPC funding. CPC applications are due next month, and some of the projects town staff are preparing applications for submission include the final stages of the 53 River Street park; expand recreational activities at NARA by installing a disk golf course; 17 Woodbury Lane project including landscaping, adding shutters, and administrative support; RHSO contract funding; interpretive panels for various conservation lands; and preserving historic documents in the library. Mr. Charter announced additional programming planned for November and December for the 250 Committee and openings on the committee for associate positions. He encouraged residents to vote on November 5th. Mr. Snyder-Grant thanked election workers staffing the elections. Ms. Nicol noted she does not support CPC funding the RHSO as the work done by the office is required to maintain the subsidized housing inventory, and suggested incorporating this cost into the general fund during this budget season. Mr. Charter noted that it is an allowable allocation under the CPA funding program.

II. Public Hearings

3. Use Special Permit #09/19/2024-502, 278 Great Road, Country Canine Retreat, LLC

Ms. Arsenault read the public hearing notice. It was noted that the applicant still needed a review from the Board of Health regarding the septic plan. Senior Planner Kaila Sauer recommended the Board continue the hearing to November 18 at 7:25 PM to allow time for that review. **Mr. Martin moved, seconded by Ms. Nicol to continue the hearing to November 18th at 7:25 PM and approved unanimously 5-0**

4. Use Special Permit, #09/24/2024 – 503, 268 Main Street, Open Door Education

Ms. Arsenault read the public hearing notice. The applicant requested the hearing be continued. **Mr. Martin moved, seconded by Ms. Nicol to continue the hearing to December 2, 2024 at 7:10 PM and approved unanimously 5-0**

5. Livery License, Safe & Fast Service, LLC, 82 River Street, Acton MA

Ms. Arsenault read the public hearing notice. Representing the applicant was Marcus deSouza. The applicant is required to hold a livery license for his Uber Black business to service passengers at airports, and will be operating roughly 10 – 12 hours a day. **Ms. Nicol moved, seconded by Mr. Martin to close the public hearing and approved unanimously 5-0. Ms. Nicol moved, seconded by Mr. Martin and approved unanimously 5-0.**

III. New/Special Business

6. Presentation of Point of View from Finance Committee

Representing the Finance Committee is Chair Jason Cole and Vice Chair Scott Sullivan. Mr. Cole noted the recent passing of an override by a thin margin in the wake of potentially catastrophic cuts in services, reminded that, although capital

and operating budgets are treated like two separate budgets, homeowners receive one tax bill; noted current debt exclusions from 2021 with the Boardwalk School campus and the North Acton Fire Station that received record-low borrowing rates, noting these costs will be part of ongoing impacts to taxes for years, and if additional debt exclusions are requested for taxpayers the operating budget and use of reserve should be considered to help with the tax bill; he noted reserves are targeted at 3% of the total expenditure. The override provided for \$1.2 million in unused tax levy capacity. The average family tax bill has increased by 38% since FY18. He noted that the School District will host a budgeting workshop and the Finance Committee will host cost cutting listening sessions this year, and both the municipal and school district should refrain from new initiatives to view what a single long-range capital plan would look like. Mr. Cole pointed out that the tax burden placed on residents and business owners will reach a breaking point. Mr. Cole noted that the Finance Committee recommends mitigating the risks regarding OPEB and Middlesex Retirement, slowing down tax increases and bringing them closer in line with inflation, and recommends producing a 10-year joint capital plan. Ms. Nicol suggested including the Water District in the capital plan forecast since they have had recent large capital projects leading to an increase in water rates, supports a comprehensive plan, would prefer planning now for future expenses, and noted that some towns plan for financial budgeting and stability by implementing smaller overrides over time rather than waiting 20 years for a large one. Mr. Martin noted his appreciation of the work of the Finance Committee to create the Point of View, which began in August, and also the willingness to look at everything: cost-cutting, revenue, grant pursuit, etc. He also agreed with the need to look at all capital projects in the pipeline from both the town and school district. Mr. Charter pointed out that the town also bundles borrowing, but happens after Town Meeting approval. He also noted that balances of unspent funding have been scrubbed by town managers, and that it's important that we not undercut the needs of the town, i.e. waiting on DPW facility will result in 6% construction cost increases each year. Mr. Cole reiterated that it is critical that monies set aside for the future be declared. Ms. Arsenault asked what was meant by "structural change." Mr. Cole suggested that it will take all of us working on the issue, but that outpacing inflation is not sustainable for the taxpayers and means we are growing the government. Mr. Sullivan noted that every dime and dollar above compensation needs to be scrutinized. Mr. Martin offered a correction that costs outpacing inflation does not mean an increase in services; instead, it is simply that costs of existing services are outpacing inflation. The town makes efforts to work smarter, and save money whenever possible. Mr. Snyder-Grant noted that many investments save money: preventative maintenance of infrastructure, clinicians in the police department, online permitting, etc. He also pointed out that as housing costs have gone up, households with higher incomes have moved to town, and demands for services have increased. He asked what "preserving suburban density" means. Mr. Cole noted that subdividing lots to build new homes increases demand for services and

costs, and would like to look at housing turnover rates. Mr. Charter noted that ultimately it is the Town Meeting voters who make the decisions about these plans and expenditures. Ms. Nicol asked if the Finance Committee has plans to look at historical FTE data for the town, and suggested asking the other members of the committee to consider including additional reasons residents have chosen to invest in Acton and acknowledgment that one-third of the residents live in multi-family homes, and are not experiencing “suburban housing density” before sharing with other audiences.

7. Update on Public Works Building Project

Mr. Mangiaratti updated the Board on the design and construction costs estimate, and an analysis on the soft costs, with construction cost at \$37.9 million, design at \$4.7 million, design contingencies at \$2.2 million for a total of \$44.8 million and adding the soft costs comes out to \$47 million. He noted that waiting for a future fiscal year to move this project forward will only result in project cost increases, and the DPW Building Committee is meeting this Thursday in Room 204 to discuss the cost estimates. Mr. Charter noted design is continuing, with subsurface exploration completed, adding that the existing site and location of the new building was never utilized as a landfill. Mr. Charter related that Public Works employees are considered part of the First Responder team during severe weather events.

8. Approve Sustainability Policy Update

Mr. Snyder-Grant presented the updated Sustainability Policy, and sought comments and suggestions from Board members. Mr. Snyder-Grant noted the Town Manager stated that there is a need for an annual sustainability report that would be included in the Annual Town Report through the Sustainability Office, and suggested tying the updates of the Climate Action Plan into the policy. He suggested including the Land Use Division regarding protecting forestry and groundwater. Ms. Nicol suggested adding the expected timing of a report that works for the Manager, and also to include data tracking annual acreage of land protected and lost. Mr. Martin suggested not constraining when the annual report is released, and stressed that the policy is what the Select Board is asking staff to do.

Kim Kastens, Pope Road – noted the policy is an improvement from 2018.

Suggested the Town Manager report to the Select Board on all three of the priorities. Ms. Nicol noted her support of the suggested edits, including the stormwater and environmental sustainability work previously completed.

Terra, Mass Ave – stormwater runoff is already reported on in the stormwater bylaw, developers have to report the metrics and receive sign-off by a licensed engineer.

Mr. Snyder-Grant agreed to not note a specific reporting timeframe, and instead leave it as annual reporting. He also suggested noting any environmental reports to refer to the Board of Health annual report..

Mr. Snyder-Grant will work with Mr. Martin and revise the document to bring back to a future Select Board meeting.

9. Authorize Purchase and Sale Agreement for 19 & 35 Wetherbee Street

Mr. Mangiaratti discussed the land acquisition that is the focus for the Special Town Meeting, noting the Board authorized the Town Manager to sign a letter of intent with the seller, indicated the purchase and sale agreement is being finalized and was not ready for the meeting tonight. The purchase price is for \$3.6 million, with an additional \$50K in expenses related to the closing, including additional funds for the Conservation Restriction which will all be part of the warrant article. Further discussion will be continued on November 18th

10. Review Special Town Meeting Warrant and Assign Select Board Members to Articles and Consider Voting Recommendations

Mr. Charter moved, seconded by Mr. Snyder-Grant to recommend article 1 and approved 5-0-0. Mr. Martin assigned liaison.

Article 2 and 3 were deferred, Mr. Charter assigned as liaison.

Mr. Charter moved, seconded by Mr. Martin to recommend article 4 and approved 5-0-0. Mr. Charter assigned as liaison.

Mr. Charter moved, seconded by Mr. Martin to recommend article 5 and approved 5-0-0. Mr. Charter assigned as liaison.

Ms. Arsenault moved, seconded by Mr. Martin to recommend article 6 and approved 5-0-0. Ms. Arsenault assigned as liaison.

11. Update from Acton Leadership Group

Mr. Charter encouraged the Town Manager to be cautious regarding initiating new programs and hiring new employees as the budget development progresses with the DPW project coming up at the Annual Town Meeting. Mr. Martin noted the importance of considering the budget increases between the two entities, which has not been brought up in discussions, but to consider a possibility of 3-3.2% increase equally between the town and the school district. Mr. Charter stressed maintaining essential core functions of town staff to ensure recruitment and retention. Mr. Snyder-Grant suggested focusing on the priorities of the Select Board indicated by both short-term and long-term goals, considering which programs funded by ARPA will cease, and what substitutes in the budget could be rearranged or additional grant funding pursued to continue. Ms. Nicol suggested maximizing the overlay as much as possible, and correcting the narrative re: debt exclusion for the DPW facility. She noted that it is not correct that new debt will be seen on tax bills straight away, but a year later, and no one on the board suggested the town has a right to add new debt as soon as old debt is paid off, but rather it is sound financial planning.

IV. Consent Items

Mr. Martin held consent items 13 and 14. **Mr. Martin moved, seconded by Ms. Nicol to approve consent items 12 and 15.** Mr. Martin questioned why the Board was not meeting the first Monday in January, and noted the Budget Workshop was listed for January 14th and 15th. He suggested meeting on January 6th. Mr. Mangiaratti noted the 3 meeting dates were placeholders and could choose to meet on the 13th, 15th and 21st. Mr. Snyder-Grant noted September 22nd is Rosh Hashanah. **Mr. Martin moved, seconded by to approve the calendar with the change, to delete the budget day on the 14th of January, move September 22nd meeting to September 15th and approved 5-0-0.** Mr. Martin questioned why the fee schedule was brought up and what had changed. It was noted that the fee for pinball is \$100 and the pool table is \$10, Mr. Martin indicated he believes it should be reversed. The Board took no action and will review at the next meeting.

Mr. Martin moved, seconded by Ms. Nicol to adjourn and approved 5-0-0.
The meeting adjourned at 10:28 PM.

Documents Used

- November 4, 2024 Agenda
- Use Special Permit Public Hearing Notice #09/19/2024-502, 278 Great Road, Country Canine Retreat
- Use Special Permit Public Hearing Notice #09/24/2024-509, 286 Main Street, Open Door Education
- Finance Committee Point of View
- Sustainability Policy Update
- Draft Special Town Meeting Warrant
- Meeting Minutes, September 23, and October 7, 2024
- Proposed Select Board Meeting Dates
- Select Board Fee Schedule
- Memo from John Mangiaratti Regarding Donation Acceptance from Dirigible Brewing Company Dated October 22, 2024