



SELECT BOARD
MEETING MINUTES *Amended*
JANUARY 13, 2025, 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
Executive Assistant Lisa Tomyl

I. Regular Business

1. Resident Concerns

Carolyn Keily, Parkland Lane – expressed appreciation for the listening sessions offered by the Finance Committee, and encouraged the Select Board to attend next listening session, asked the board to consider adding more tax breaks for seniors seeing a large increase in their tax bills, noted the DPW project received the most resistance and concern from residents.

Erik Heels, Forest Road – requested sidewalks on Forest Road as part of the DPW Building Project, noting that sidewalks were added with the North Acton Fire Station project, cited a change.org petition and asked for the topic to be placed on an upcoming agenda.

Slava Ostapenko, representing Redstone Condominium on Main St – noted a new business opening at 268 Main Street and is concerned that there is no separate water meter for that building, the previous owner not paying for the water usage, confirmed with the Acton Water Manager that there is no separate account. After noticing a dramatic increase in the condo water bills, hired a private company that found, and repaired a leak in a pipe connected to 268 Main Street. Sent a request to the former owner for reimbursement and has not received a response. Informed that a split was to be constructed as part of the Kelley's Corner project, but does not think the work was done. Also concerned about the loss of parking at the condominium complex that will result from the new business.

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault acknowledged the fires in the LA area, pointed out that the Sustainability Office completed the most recent Hazardous Mitigation Plan which can be found on the Sustainability web page, and announced that the Community Services Office will begin hosting Housing Legal Clinics for renters at the Human

Services and Senior Center building at 30 Sudbury Road with a representative from MetroWest Legal Services and the Economic Development Committee held an appreciation luncheon on 1/8/2025 for local business owners. She also reminded residents that in October of 2017 the Select Board adopted an immigration policy which prohibits the use of town resources and staff to assist in the enforcement of federal civil immigration laws, and expressed appreciation for the welcome the community has offered the families temporarily housed at the emergency shelter.

Mr. Charter noted that despite a rumor suggesting otherwise, vehicular traffic would not be prohibited from Forest Road, nor will the new site plan for the DPW building accommodate Transfer Station traffic at Forest Road, but the public entrance will continue to be located on Route 2. He also announced his plan to seek re-election, and the passing of former Police Chief George Robinson.

Ms. Nicol noted that the Council on Aging is creating a Rainbow Planning Team to explore program needs for LGBTQ older adults, and is seeking members: the first meeting will be held on 1/29/2025 at 2 PM via Zoom and to contact Chris Chirokas for more information. She noted that at the most recent meeting of the AWD Commissioners, the District Manager noted the advantageous timing of funding allocated for the PFAS installed at the water treatment plants, with principal forgiveness of the drinking water revolving fund loans. There are currently limits on loan amounts that communities are receiving, and sometimes no funding is available. The 2024 testing of all treatment plants have shown no exceedances of the max level for PFAS save for one slightly elevated test in the spring at the North Acton plant where PFAS has been non-detect since early summer. She also reminded residents that reverse osmosis water filtration systems are prohibited by Title 5 for properties that have septic systems.

Mr. Snyder-Grant noted a fast DC EV charger in use at rt 27 and 2A, and announced a Sustainability Office event at the charging station on 1/16/2025 with hot chocolate.

Representative Simon Cataldo presented a legislative update, highlighting funding secured for Acton and bills he has filed and/or sponsored. He also noted that the AB school district's approach to dealing with anti-Semitism in the schools was presented and lauded recently by members of a newly established bipartisan task force at the State House.

Public Hearings

3. 7:10 PM Use Special Permit #09/24/2024-503, 268 Main Street (applicant has requested to continue to January 27 at 7:20 PM)

Ms. Arsenault announced the applicant has requested to continue to January 27, 2025 at 7:20 PM

4. 7:15 PM Site Plan Special Permit #06/24/2024-492, AHC, Inc. & Thomas Buckborough, 358A and 358 B Great Road (continued from December 16, 2024 – applicant has requested to continue to February 3, 2025)
Ms. Arsenault announced the applicant has requested to continue to February 3, 2025 at 7:10 PM.

II. New/Special Business

5. Presentation of the Town Manager's Recommended Fiscal Year 2026 Municipal Operating Budget and Capital Plan

Mr. Mangiaratti presented the recommended FY26 municipal operating budget and capital plan. He noted that FY 26 revenue estimates are \$126 million, and highlighted investments in community priorities such as resident support programs, public safety enhancements, Fire Department response capacity, library improvements, improvements to public facilities, encouraging economic development, and increasing opportunities for tax relief for residents. He also noted recent efficiency measures, and significant grant dollars awarded to the town to support the budget. The manager is proposing an operating budget of \$40,940,464 which represents an increase of 4.79% over the last fiscal year. The 10 year capital improvement plan requires \$111 million. 30 projects are being requested in FY26, and several projects are being deferred. Mr. Mangiaratti proposed a use of FY26 free cash totaling \$960M, and special revenues totaling \$1.55M. Highlights of the FY26 capital budget are a debt exclusion for the proposed DPW facility with the total cost of the project initially set at \$46.9 million reduced to \$43 million; the first year debt is estimated at \$2.58 million with cost-saving measures reducing borrowing by \$1.5 million, lower interest rates and energy savings. Mr. Mangiaratti also highlighted several reasons for needing a new DPW facility, and noted that delaying the project will have a higher tax impact on residents, with the cost estimated to increase 5% each year. Mr. Charter asked about the \$25K study of street lights and the plan to replace burned-out streetlights, and looking for more information from Corey York, DPW Director. He also asked for details on the proposed \$25K for the vegetation management and invasive species removal - is the plan to enhance it or is it a one-time effort, and asked for more information on the proposed childcare subsidies, suggesting that this line item be a separate warrant article if this is to be a recurring spending request; wonders why it would be the responsibility of the town, and if this would be a more appropriate expense for the school system. Ms. Nicol called attention to the information in the DPW building project narrative, noting the Acton population in 1970 was 14,700 and today is 24,000. She recalled that initially the facility was constructed at a square footage almost half originally planned, noting that it was undersized when built. Ms. Nicol noted concern that this time, the facility should be right-sized, and most of the additional square footage is for vehicle storage and maneuvering. She also noted that the committee has brought the cost down by a large amount, and there will

likely be additional savings. She also asked if the free cash will be brought to the 3% the Finance Committee prefers, and asked whether the overlay should be increased to \$900,000. She also noted that the town benefits from the services of a shared health inspector funded by the state through the North West Public Health Coalition.

Christi Anderson suggested the Select Board and Finance Committee have a future discussion regarding the DPW Building Facility.

Jason Cole stressed the concept of pushing the DPW building project down the road a couple of years; the FinCom is concerned the project may not pass at the ballot or Town meeting, and asked to not bring the same size/scope project back next year if it doesn't. Mr. Cole further suggested that a level services budget for the town is not appropriate, and that there should be an increase in the FY26 budget no greater than 3%.

Corrine Hogseth suggested there needs to be a healthy tension between the schools and the town, pointed out that school enrollment has declined, and suggested the schools decrease their proposed budget.

Greg Jarboe noted that at the upcoming Budget Workshops, he will ask what metrics each department uses to determine whether goals have been met, what they can do with the same budget or lower budget, how the DPW project will affect resident tax bills, and feels the town has much more work to do to convince the residents that a new DPW facility is necessary.

Steve Noone noted that only 3 line items account for the majority of the increase in the budget: salaries, health insurance and Middlesex Retirement with the most controllable portion being salaries. Mr. Noone noted that the total capital plan is \$111 million, with the DPW making up \$42 million of that amount, and voiced concern over an unsustainable increase in spending.

Roland Bourdon asked about the need for specific staff positions such as DEI and sustainability, asked about streetlight technology, and suggested that lighting on athletic fields while not in use is wasteful.

David Martin clarified that the school share is 63% of the budget and the town share is 34%, and suggested maintaining as much free cash as possible, otherwise it increases the spending percentage of the town.

Ms. Hogseth asked if the split could change since the population is increasing but enrollment is decreasing; Mr. Martin noted the split is a measurement, not a rule.

Mr. Jarboe asked what the estimate would be in the market related to bonding for the DPW facility project; Mr. Mangiaratti noted the town is estimating conservatively at 4.25%. Mr. Jarboe asked if the Planning Director is taking on the role of Economic Development Director; Mr. Mangiaratti replied that she is only taking on oversight of the Economic Development Strategic Plan project.

Nijan Datar, Windcliff Drive suggested a distinction between needs and wants such as green energy, and asked for the lowest possible design cost of the DPW project. Mr. Datar also suggested reconsideration of the Town Hall electrification, suggesting a fossil fuel energy supply and negative side effects of solar energy.

He further speculated that the DEI office provides no benefit to the town.

6. Approve Plan to Construct Equalization Tank at Adams Street Wastewater Treatment Facility for the Powdermill Sewer Extension

Mr. Mangiaratti noted the project is related to the Apartments at Powder Mill development, and is now required by MA DEP for sewer extension permitting. He noted that the builder contributed \$500K for related upgrades, and there is another approx \$500K available from work that will not be completed, and a 300K gallon equalization tank is being proposed to be built on the Adams Street wastewater treatment facility parking lot. The tank would be approximately the height of the building to meet the conditions of the DEP and to allow the town to meet the demand of peak flows. The estimated cost is \$2.6 million, and the town will seek a grant from a program only available to communities in compliance with MBTA. The remaining cost will be brought to Town Meeting for borrowing. Jack Troidl from Woodard & Curran noted the tank would only be used during peak flow times; it would otherwise be cleaned and dry.

Mr. Martin noted the construction would help with the maintenance of the plant. Alissa Nicol asked about the sewer flow, noting the budget lists 160K gallons per day and the technical memo listed 145K gallons per day; Mr. Troidl noted that 145K is the average amount during a typical year, and Ms. Nicol asked if the higher flow number should be used. She also asked if the tank is operated more frequently in the future than the 1-2 times/year currently expected, could there be cost or operation/maintenance considerations; Mr. Troidl noted this would be factored into the cost and operations. Ms. Nicol asked what “no excess odor” meant, i.e. will there be odors; Mr. Troidl noted that no additional odors are expected from the new tank due to aeration with an activated carbon fan. Ms. Nicol asked where the district is in the maximum gallons for the service area constraint; Mr. Troidl noted that MA DEP has conditionally approved the permit because it will allow for reduction of peak flows. Ms. Nicol stressed that the cost of the tank is higher than the mitigation funds from the developer and this burden rests solely on the ratepayers although the decision to expand the district was made to advance the entire town’s affordable housing goals. She also asked whether a vote would be required at Town Meeting; Mr. Mangiaratti replied that a vote is required to authorize the borrowing, but the expansion has already been approved.

Mr. Snyder-Grant asked whether the tank would be steel or concrete; Mr. Troidl noted that it is to be determined: either glass-lined steel tank or concrete.

Mr. Martin moved, seconded by Mr. Snyder-Grant, to approve plan to construct equalization tank at Adams Street wastewater treatment facility for the Powdermill sewer extension and approved unanimously 5-0-0.

7. Announce Fire Station Deployment Pilot Program

Mr. Mangiaratti announced that the town has received a grant from the state to study how the fire department can improve deployment, operation, and responses, and hired the Collins Center to assist with this work. Fire Chief Anita Arnum noted that leadership is currently in contract negotiations with the fire union.

Station 4 opened last year and is spreading personnel thin with only 2 firefighters per station. Consolidating personnel at stations creates additional staff to operate the apparatus. Mr. Mangiaratti is looking to pilot this program for 2-3 months, will be working with dispatch during the pilot program, and will provide information and updates to the public and town staff.

Mr. Charter noted his support of the chief's efforts, and agreed with going ahead with this pilot program. Mr. Martin asked where the Chief and Deputy Chief will be working during the pilot; Chief Arnum confirmed the Deputy Chief and Chief would remain at the Public Safety Facility. Ms. Arsenault noted her support for the pilot program. Ms. Nicol asked if only 1 pilot to explore operating out of 2 stations, or is there adequate funding for an additional pilot to explore operating 3 stations if the 2 station operation is determined to not be advantageous; Chief Arnum noted that results will be very closely monitored, and Mr. Mangiaratti noted the funding would cover the cost of a second pilot program if necessary. Ms. Nicol also asked if staff would be involved with selecting the metrics to determine success, and the Chief confirmed that they are currently working on that together. Mr. Snyder-Grant noted his support for consolidating employees to fully cover apparatus in emergencies, recognizing it is important for the equipment to show up at the same time.

8. Discuss the Schedule for Annual Town Meeting on May 5, 2025

Mr. Mangiaratti suggested the Board open the warrant at the Board's next meeting and to also consider the Planning Board's meeting schedule in case there are zoning articles submitted by the public. Mr. Mangiaratti noted the first draft of the warrant should be ready by mid February. Ms. Nicol remarked that 5 or 6 weeks should be sufficient for citizen petition submissions.

9. Update on Capital Projects (Dog Park, 17 Woodbury, 53 River Street)

Mr. Begin provided an update on the 17 Woodbury renovation, noting the contractor has erected fencing around the property, and announced a kickoff meeting Thursday with the construction company. It is anticipated the project will last no more than a year. The Dog Park construction is fully funded by grants, and the bid was awarded to *Woodall Construction*.

Ms. Nicol asked if anyone had researched other grants to pursue, such as historic preservation grants. Mr. Snyder-Grant asked for an update on the naming process for the 53 River Street park; Mr. Martin noted the committee has not had any further discussion on the name and will bring it to a future agenda. Ms. Nicol asked if there will be accessible seating at the 53 River Street park; Mr. Begin confirmed the inclusion of benches.

10. Acton Leadership Group Update

Mr. Mangiaratti noted ALG will be meeting on February 12, and the budget presentation this evening has been incorporated into the current ALG plan.

11. Update on DPW Facility Building Project

Mr. Charter cited a few dates for meetings and events: on 1/25 there will be a public tour of the facility with reps from Weston and Sampson and Town staff, on 1/29 the Public Works Building Committee will be meeting at 7 PM in room 204 with specific information on the green initiatives and costs, on 1/30 at 1 PM, Mr. Charter will be at the Senior Center to present the Public Works Building facility project and answer questions about the project.

12. Approve Intermunicipal Agreement for Shared Transportation Dispatch Services

Mr. Mangiaratti introduced the shared agreement for transportation dispatch services, and the Town Manager and Town Administrators for the towns have agreed to bring the IMA to their respective Boards for approval.

Mr. Snyder-Grant moved, seconded by Ms. Nicol, to approve the Intermunicipal Agreement for shared transportation dispatch services and approved unanimously 5-0-0.

IV. Consent Items

Mr. Charter held consent item 16. Mr. Martin moved, seconded by Ms. Nicol to approve consent items 13-15, 17-19 inclusive and approved 5-0-0. Mr. Charter noted that as the amended charge specifies one member of the committee to be a designee of the Design Review Board, there is no need to take action on consent item 16. **Mr. Charter moved, seconded by Mr. Martin, to take no action on consent item 16 and approved 5-0-0.**

Mr. Martin moved, seconded by Mr. Charter, to adjourn and approved 5-0-0. Meeting adjourned at 11:05 PM.

Documents Used

- January 13, 2025 Agenda
- Use Special Permit #09/24/2024-503
- Site Plan Special Permit 306/24/2024-492
- Town Manager's Recommended Fiscal Year 2026 Municipal Operating Budget and Capital Plan Presentation
- Equalization Tank Memo from Jack Troidl, Woodard & Curran
- Email from John Managiaratti Dated January 6, 2025
- Draft Town Meeting Calendar
- Presentation on Update on Capital Projects
- Regional Transportation Dispatch IMA
- Meeting Minutes, November 18, December 17, 2024
- Executive Session Minutes, November 18, 2024
- Revised Charge of the Department of Public Works Facility Building Committee
- Email from Dean Charter Dated December 23, 2024
- Memo from Melissa Settapani-Rufo Dated December 23, 2024
- Email from Fran Arsenault Dated January 9, 202