



SELECT BOARD
MEETING MINUTES
APRIL 7, 2025, 2024
7:00 PM
ACTON TOWN HALL, ROOM 204
472 MAIN STREET

Present: Fran Arsenault, Dean Charter, Alissa Nicol, 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

Tom Beals, Willow Street – spoke about gas powered leaf blowers and argued against the proposed gas powered leaf blower phase out bylaw.

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault announced that the RKG consulting firm contracted to help develop the town's Economic Development plan is engaged in the process of summarizing the data collected and a presentation will be ready to bring to the Board by the end of May. She also announced that on May 5, the Acton Housing Authority is hosting a groundbreaking ceremony for McManus Manor at 362 Main Street. Mr. Mangiaratti noted the town is hosting a paid high school internship program for 8 weeks. He offered a reminder of the fire station deployment pilot program, running operations out of 2 stations instead of all 4 stations, which will end in a few weeks, and clarified that a 4th station was built in North Acton due to residential growth in that part of town to ensure appropriate response times; the public is encouraged to offer feedback. Mr. Charter noted this Thursday in room 204 the League of Women Voters will be hosting a candidate forum, on April 16 at 6 PM at the Discovery Museum the Acton 250 Committee is hosting an event honoring the Acton Minutemen reenactment group and other events leading up to Patriots' Day. Ms. Nicol noted on April 15, the annual Patriots' Day Spirit event will be held at the Faulkner House from noon to 4:00, and at 5:00 will be the Robbins Ride alarm rider reenactment. She noted that Acton Nursing Services announced it is Public Health Week and that a per-diem nursing position has been filled. On April 19 there will be a plant swap at the library in West Acton. Mr. Martin noted a complete streets study is being conducted in South Acton, and a link is available on the town website to give feedback. Mr. Snyder-Grant noted plans to locate boundary markers, waiting for the weather to warm up by the end of April, and will present further information at a future Select Board meeting.

II. Public Hearings

3. 7:10 PM Common Victualler License Application, Seafood From Heaven, LLC, 77 Great Road

The applicant is following up after their recent liquor license transfer to update their common victualler license. No questions from Board members. **Mr. Martin moved, seconded by Mr. Charter, to close the public hearing and approved 5-0-0. Ms. Nicol moved, seconded by Mr. Martin, to approve the common victualler license application for Seafood From Heaven, LLC at 77 Great Road and approved 5-0-0.**

4. 7:15 PM Livery Service License, Habibi Service, 420 Great Road, C10, Acton, MA

Representing Habibi Service is Jamel Dapud. Has worked the past 4 years for a limo company and needs to be licensed in Acton for airport services and hospital transport to Boston. **Ms. Nicol moved, seconded by Mr. Charter, to close the public hearing and approved 5-0-0. Ms. Nicol moved, seconded by Mr. Charter, to approve the livery service license for Habibi Service at 420 Great Road C10, Acton Massachusetts and approved 5-0-0.**

III. New/Special Business

5. Approve Request for Increase in Ambulance Service Fees

Presenting the Ambulance Service fees are Ellie Anderson, Budget Manager and Marianne Fleckner, Administration and Finance Director. Ms. Anderson noted a rate recommendation approved by the Select Board a year ago, and since then has established a financial plan and if approved would go into effect in May 2026.

Costs are increasing over time due to staffing and equipment costs. The recommended rates will range from \$39 for mileage to \$2,664 at the ALS level of care for an overall 10% increase in all rates. **Mr. Snyder-Grant moved, seconded by Mr. Charter to approve the increase in ambulance service fees as presented and approved 5-0-0.**

6. Discuss Guidance Regarding the Granting of Waivers for the Fossil Fuel Free Bylaw

Building Commissioner Ed Mullen announced that he had received a Fossil Fuel Bylaw waiver request, and there is a second pending.

Mr. Snyder-Grant requested the Board become familiar with Chapter AC – 5 of the Fossil Fuel Free Bylaw. Mr. Mullen noted the waiver request that has been received is to eliminate a residential induction stove installed in a newly built home, and to replace it with a gas stove to allow traditional cooking. Mr. Mullen is seeking guidance on the requirements and process for granting a waiver. Since the Board is the authorizing agent to approve such waivers, the Building Commissioner had denied the requested waiver in order to bring to the Board for final decision and allow for public discussion. Currently, only new construction and level 3 renovations require induction cooking. Mr. Martin is comfortable waiving requirements on a case by case basis, but the Board should have a written

policy. Mr. Charter is in favor of drafting guidelines and not holding hearings every time a request for a waiver is submitted. Ms. Nicol in favor of a policy guideline, but prefers that the board insulate staff in waiver determinations. Mr. Snyder-Grant noted that some induction cooking services have the capability of allowing high heat cooking with an adjusted shape of the cooking surface. Mr. Snyder-Grant supports commercial kitchen waivers and suggests a propane solution vs. natural gas installation. Ms. Nicol suggested Mr. Snyder-Grant draft a policy with the Building Commissioner specifically focusing on commercial vs. residential cooking to establish the waiver process for any potential new commercial venues. Mr. Martin suggests setting a set of guidelines and if the Building Commissioner recommends the waiver it would be on a Select Board agenda as a consent item.

Mr. Snyder-Grant will work to draft a guideline with the Building Commissioner and will bring it back to the Board for further discussion.

Nijan Datar, Wyndcliff Drive - voiced displeasure regarding the fossil fuel bylaw and voiced concern about the Board micromanaging private lives.

Jim Fenton noted he had submitted a waiver request, and although he is a builder he is currently planning to renovate a home for himself to reside in, and expects the project to be impossible to complete all-electric as he recently incurred a cost of over \$60,000 for an all-electric home he built in Carlisle.

7. Approve New Street Light Installation on Adams Street

Mr. Begin presented a summary of a request for new street lights on Adams Street, and DPW Director Corey York noted that currently there are no street lights on the street, and residents have noted a recent burglary and safety concerns when walking at night. Mr. York suggested adding a total of 8 lights from the intersections of Adams/High Street to Adams/Parker. Ms. Nicol noted the long stretch of Parker has only 4 lights and feels 8 is too many, would prefer none as it would be add light pollution along the Assabet River, noting no evidence exists for reduced crime or increased road safety, and recommends homeowners install motion detector lighting on properties, and wearing headlamps or reflective gear when walking at night. Mr. Charter recommends investing in street light maintenance rather than installing new street lights, but would support new lights at the two street intersections. Mr. Martin does not support new street lights. Ms. Nicol moved to not add new street lights on Adams Street with no second. **Mr. Charter moved, seconded by Mr. Martin, to approve a maximum of 2 new street lights and approved 3-1-1 (Nicol, Snyder-Grant)**

8. Announce Nominees for Col. Francis Faulkner Sr. Exemplary Volunteer of the Year

Ms. Nicol nominated Pat Clifford, Mr. Charter nominated Peter Darlow, Ms. Arsenault nominated Sahana Purohit Mr. Martin nominated Michaela Moran, and Mr. Snyder-Grant nominated John Watlington. The ceremony and reception will take place on May 22 beginning at 5:30 at the Memorial Library meeting room.

9. Update on Town Hall HVAC and Emergency Power Project

Mr. Begin outlined the Town Hall HVAC and Emergency Project, highlighting the analysis of the air source heat pump system, and the geothermal system for Town Hall and cost analysis. The report outlines 2 options: an air source heat pump replacement project or a geothermal replacement system. Both projects would replace the failed generator. Heat pump project cost estimate is \$3,373,631 and a geothermal replacement cost estimate would be \$4,426,999. There is a capital line item in the Town Meeting warrant, and direction from the Board is sought on which option they would like to pursue.

Nijan Dater – asked if the cost would include repairs needed immediately, how much more expensive is the air source vs. natural gas, can the project be postponed, encouraged the Board to consider cost-saving measures.

Corrine Hogseth – noted Mr. Datar referred to a 3rd option of using natural gas, noting the recent electrification study conducted years ago costing \$17 million and voiced the need for the voters to understand the cost of the project. Mr. Martin noted the cost is for only the replacement of the HVAC and not for the electrification of the whole building.

Mr. Martin moved, seconded by Mr. Charter, to recommend option one for Town Hall HVAC which is the air source heat pump option and approved 5-0-0

10. Discuss Acton Leadership Group

Mr. Mangiaratti briefed the Board on the upcoming ALG meeting, and the amount of variability making projections for future years. Looking at cost drivers such as health insurance, pensions, and employee contracts, with a projected 5.25% increase in FY27. Minuteman Tech has noted a surplus in their E&D account, reducing Acton's assessment for FY26, and suggested the amount could be added to the untaxed levy. That cost estimate for debt service for the DPW building is in the plan at \$2.1 million. Mr. Mangiaratti noted a consensus with FY26, and the next step is working on FY28 and FY29. Mr. Mangiaratti noted the school district projected a 6.3% increase in costs in the out years, but this has been reduced to 5.6% based on further analysis and is now reflected in the plan. Mr. Martin is hesitant to include larger projected increases in out years, and would prefer that the school and town percentages be equal, so there is no compounded disadvantage for the town. It has been 3.75% in the past, but could be 4%+ for this year's model. Mr. Charter noted that the schools receive more revenue - 65% is spent on services for 20% of the town. Ms. Nicol suggested adding a narrative to explain the reasons consensus was not reached, and noted a larger percentage of revenue is spent on the schools because the schools employ ~1000 and the town ~200. Board members agreed to add the \$39,000 reduction in the Minuteman assessment to the untaxed levy. They also agreed on a preference to not include the larger percentages in the out years in the financial model.

11. Update on DPW Building Project

Mr. Charter noted the DPW Building Committee met on the 2nd and supported the \$35 million borrowing with a 6-0-1 vote to transmit that information to the Select Board and recommend it. Will be presenting to the Green Advisory Board,

Council on Aging, and Planning Board. Mr. Begin noted the cost estimate and total project cost of ~\$38 million less the \$1.225 million appropriated for design with a total reduction in square footage to ~42,000. Mr. Charter requested the town website update the DPW Building project webpage for the most accurate information, noted there is misleading information regarding the project on social media, and is open to an amendment to include \$700K for constructing the wash bay shell.

Richard Keleher – supports the DPW Building project and including the wash bay. Mr. Martin suggests having a DPW Building presentation at the next meeting.

Mr. Charter moved, seconded by Ms. Nicol, that we include the sum of \$35,200,690 for article 7 for the borrowing costs for the DPW Building and approved 5-0-0.

12. Review Annual Town Meeting Warrant and Consider Voting Recommendations
Article 7 – Mr. Charter moved, seconded by Ms. Nicol, to approve the \$3million borrowing cost for the DPW building and approved 5-0-0
Article 11 – Mr. Martin moved, seconded by Mr. Charter, to allow Ms. Nicol to modify summary and recommend article, 5-0-0
Article 30 – Mr. Martin moved, seconded by Ms. Nicol, to recommend and approved 5-0-0.
Article 31 – Ms. Nicol moved, seconded by Mr. Martin, to recommend and approved 5-0-0
Article 37-39 – Ms. Nicol moved, seconded by Mr. Martin, to not recommend and approved 5-0-0
Article 40 – Mr. Martin moved, seconded by Mr. Charter, to not recommend and tied 2-1-2. Mr. Martin assigned.
Article 41 – Ms. Nicol moved, seconded by Mr. Martin, to make no recommendation and rejected 2-0-3. Mr. Martin moved, seconded by Ms. Nicol, to not recommend and approved 3-0-2. Mr. Charter assigned.
Mr. Martin updated article 32 that 4-stroke leaf blowers are exempt, and these include walk-behind and ride-on devices, consistent with enforcement of the waiving of the law during a storm to the Town Manager or designee and requested a vote to update the text in the warrant. **Mr. Martin moved, seconded by Mr. Snyder-Grant, to include the updated text in the warrant article 32 and approved 4-0-1**
Mr. Snyder-Grant updated changes in article 33. Mr. Charter does not support the change to the summary of the article.

IV. Consent Items

Steve Trimble, Chair of the Acton 250 Committee, described gifts listed in consent item 24, to be accepted by the town as part of the 250 celebration. Mr. Charter suggested accepting all items with the stone-mounted plaque listing all names of the men who marched to North Bridge on April 19, 1775 location to be determined. Board members agreed that it could be temporarily displayed behind

Town Hall adjacent to Woodbury Lane. **Mr. Charter moved, seconded by Ms. Nicol, to accept items itemized in list provided by Mr. Bob Davis and approved 5-0-0. Mr. Martin moved to approve consent items 13-23 inclusive and 25 and 26 and approved 5-0-0.**

Mr. Martin moved, seconded by Ms. Arsenault, to adjourn and approved 5-0-0. Meeting adjourned at 11:49 PM

Documents Used

- April 7, 2025 Agenda
- Common Victualler Application, Seafood from Heaven, LLC
- Livery License Application, Habibi Service
- Ambulance service Fee Presentation
- Memo from DPW Director Corey York Dated 2/24/2025
- Memo from John S. Mangiaratti Regarding Town Hall HVAC and Emergency Power Project Costs Estimates and Next Steps Dated March 25, 2025
- Town Hall HVAC and Emergency Power
- Email from John Managiaratti Regarding the DPW Project Update and Cost Estimate Dated March 28, 2025
- Acton Minuteman Proclamation
- Arbor Day Proclamation
- One Day Malt and wine License Application for Navjit Dhaliwal
- One Day All Alcoholic Beverage License Application, Boston Area Gleaners
- One Day Malt and Wine License Application, Theatre III
- Farmers Market Application from Blisspoint Meadery
- Memo from Chief Anita Arnum for a gift acceptance dated March 21, 2025
- Memo from Chief Anita Arnum for a gift acceptance dated March 27, 2025
- Letter from Acton Conservation Trust for a gift acceptance deated March 26, 2025
- Memo from Ian Bergemann for a donation of a memorial bench dated March 31, 2025
- Memo from Bob Davis to accept donations dated March 24, 2025
- Memo from Robert Morris to accept a gift towards the Acton 250 programs received April 3, 2025