

BOARD OF SELECTMEN AND SEWER COMMISIONER'S SPECIAL MEETING

**February 27, 2017
Francis Faulkner Room 204
Regular Meeting 7:00 PM**

To view video, [click here](#)

Present: Peter J. Berry, Janet K. Adachi, Franny Osman, Katie Green, Chingsung Chang, Town Manager Steve Ledoux, Lisa Tomyl, Recording Secretary, and Jeffrey Roleofs, Special Town Counsel
Mr. Berry opened the meeting at 7:00 PM leading the Pledge of Allegiance.

Citizen Concerns

Terra Friedrichs – West Acton – question about ban on overnight parking. Concerned about people not able to park overnight especially for people who are homeless – especially people that park their cars on Wright Hill so they don't have to use their driveways so that homeless people can park there and not be asked to move by police. Suggests making a designated area for overnight parking. Concerns about so many street lights in town, concerned about double yellow lines (on the roadways) encourage people to speed and that it could bring down home values.

Study on cost of growth and new smart growth taking local zoning away and giving it to regional authority. and AAA bond rating continues to be best way to determine the Town's solidity for people who own houses their ability to pay back loans the town may amass ant not about the health of the town.

Planning Board meeting someone mentioned it was their job to protect people's property rights to develop and will be looking into the Planning Board's charter.

Hopes Board re-opens the Nagog Pond hearing in regards to the recent email from OARS.

Christopher Webster – regarding his citizen petition and holding off making any positions until he has had a chance to speak at next meeting. Mr. Berry explained that he is invited and on the March 6th agenda.

Chairman's Update/Operational Update

Mr. Berry – Recognized Ken Sigha-Hughs as a longtime member of the Acton Housing Authority for 20 years and CPC since it started in 2002, he is resigning from both committees as he is moving to California to work for Tesla. Thanks him for his time and commitment. Acton Boxborough Regional School District has put together a master plan review committee for capital projects. The Mass School Building Authority accepted Acton's application for funding to help repair the schools. Working with the MSBA over the next couple of months to go over designs. Looking to be a warrant article on a potential fall town meeting. Acton was sued by 10 taxpayers for granting a CPC grant for the Acton Congregational Church for preserving the structure. The town prevailed in Superior Court and the Ten Taxpayers appealed the court's decision – just learned the Supreme Judicial Court agreed to hear the case. There

will be an argument presented in September and will probably hear at the end of the year. Much support for the town from many organizations.

Mr. Ledoux – Announce Robert Vanderhoof has been promoted to Deputy Chief. March 7th holding assessment center for internal candidates for Police Chief. Boiler repairs have been completed as of Friday for Acton Memorial Library. Met with DPW and Ameresco the feasibility of solar carports at the train station parking lot. May want to get a consultant to see if it feasible .

Ms. Osman – having some problems with her eye and stated that she may wear a patch or close her eye – she is still participating and listening.

Public Hearings

None

Selectmen Business

Selectmen to Discuss Placing a Safe Community Article on Future Warrant – procedural purposes only – did not put it on the April Town Warrant meeting – felt that the Annual Town Meeting was too early.

Citizens considering putting a citizen petition article on Annual Town Meeting felt it was too early as well and considering a fall town meeting. Need a wider broad of discussion and input from the community.

Thinking about an email shell so people could continue sending in emails and comments.

Need to consider if this is something this should be on a future town warrant. Ms. Osman stated that she thought that we should put something on the article explaining the current town policies.

Ms. Green stated she continues writing the potential language and to have discussions with town counsel, Acton Police, citizen groups for some potential language for potential future forums. We are not moving forward on April Town Meeting.

Ms. Adachi has reservation of the proposal and there is a lack of understanding of what the status means and in addition to developing language and have some people who are acknowledge about the concept and have also both con and pro to the concept. Would be helpful to have a little clarity about developing the language – both pro and con.

Mr. Chang thinks it is good to move forward with some material with the current political climate. No objective to put anything on town meeting. If there is a desire to move forward happy to support it.

Mr. Berry commented about reading in Beacon about Boxboro they do allow undocumented immigrants to serve on their Boards and Committees. Acton only allows documented legal aliens to serve on boards and committees. We cannot tell PD how to conduct their business. They do not inquire about immigration status on anyone they are involved with. If someone is arrested they go into the federal system. If person is arrested for serious crime or has an outstanding warrant – immigration officials can ask Acton to detain until they are picked up by immigration.

Ms. Green commented work on looking what language to use – there is a group working on drafting language – makes sense of working with them instead of duplication, and working with PD, town counsel on what the draft will look like, then bring it back to the board, having a public forum, then bring into full town meeting. Doesn't think it will come back to the board until after town meeting – perhaps a May forum and discussing it then.

Mr. Berry feels uncomfortable with a citizen petition making a decision for me and should be drafted by the board.

Ms. Green stated that she feels it doesn't make sense to have 2 separate petitions – is comfortable reviewing the petition/language and working with town counsel and the board.

Ms. Adachi stated she feels uncomfortable having counsel to refine something that has not been heard at a forum, and taking time out with PD as well.

Mr. Berry commented that the process (of finalizing language for a warrant article) is that we will come up with a draft, after TM, talk to PD, and town counsel, and then the board will decide if they will put it on a future Town Meeting warrant.

Ms. Green commented on working on crafting language in a public process included stakeholder meetings and including the board to decide the language.

Danny Factor 11 Davis Road – founding member of Let's Make Acton a Sanctuary Town – our group is the furthest thinking one way is the only way. Want to work with the BOS, Town Counsel, Police and residents to include all views. Has submitted to Ms. Green some draft language.

Lisa Franklin – Windsor Ave – 2010 Town Meeting had 3 people listed to put on a warrant article the town would vote to instruct our state legislators to vote for policies to not allow undocumented immigrants to not be allowed social services.

Terra Freidrichs – West Acton – question about federal funding and town policies – being the town charter something etc.

Carol Marcchi – 16 Orchard Drive – member of group in light of threats to undocumented immigrants and would like her town to be a Sanctuary Town and respects the Board of Selectmen – Governor Baker has promised to protect any act to federal funding for any towns that declare themselves a sanctuary town.

Leslie Johnson – Brook Street – understands that it against the constitution to affect local governments by pulling federal funding

Marty Patreas – 15 Hazelnut Street – objects the initiation of the language proposed from a small group and that the Board of Selectmen would have a hard time getting acceptance from a public forum. Encourage a more larger input from a broader public group.

Could not understand the name and address of 2 people who spoke

Jenn Penn 22 - Hillcrest Drive – appreciates the discussion and looking for the public forum and participating within the coming months. Is supportive of the town becoming a sanctuary town. If we could have a full set of a proposal sooner rather than later.

Dawn Wong – 36 Lexington Dr – supports Sanctuary Town status.

Eric Hilford – 16 Hillside Drive – feels it is an intense issue, feel people feel threatened about the federal policies

Did not understand the name – feels people liberty is under attack and not think about the effect on housing prices

Dennis Karisti – 9 Davis Road – in support of Acton becoming a Sanctuary City

Did not understand her name – unfortunately cannot understand statement given

Selectmen to Take Position on Warrant Articles/Close Annual Town Meeting Warrant – Ms. Adachi

moved to close warrant, Ms. Green second. All Ayes

Town Moderator does not want power point presentations for consent items and does not like power point presentation set ups and to limit the CPC to 5 minutes.

Update on Acton Leadership Group – Steve gave an update on the ALG plan with a negative net position of \$358,559.00 and how to deal with it. School Board compromised and agreed to use more free cash and to oput it toward capital. Brought down the net negative to \$158, 559.00 and not taxing to maximum levy capacity by the total of \$995,000. Compromise to tax to the capacity of \$158,559.00 and not the full total of \$995,000.00. Ms. Adachi moved to approve the proposed compromise, Ms. Green seconded. All Ayes (5-0).

Town Hall Room Use Regulations – Ms. Green commented on the prohibition for political organizations-feels political is way to open for interpretation and doesn't make sense to include it but the policy itself make sense – have word removed or clarified. Mr. Chang stated that he doesn't believe there should be a restriction on room use. Priority is for town boards and committees. Thinks all groups should have access and restrictions should be removed completely. Ms. Osman would like to have all restrictions removed. Ms. Green suggested to limit restrictions to private events and for-profit organizations.

Danny Factor – public buildings are for public purposes and should be able to have groups meet in town buildings. The town should be neutral in space for groups to meet. Don't have a community center in town for space. Suggests including the new senior center, the old senior center, library has 2 meeting rooms as also rooms available in the policy.

Terra Freidrichs – should have limited restrictions but not include political, lobbyist groups and for-profit groups.

Ms. Adachi feels it should be somewhat restricted – especially with how town boards are limited in scheduling time/room availability.

Mr. Chang commented about an issue with open door policy by setting up a scheduling policy attached to current policy –i.e. a citizen group has a timing restriction in scheduling – priority is always given to town boards and committees

Ms. Green is supportive that removes the adjectives in section a, and removing the term political.

Ms. Osman moved to approve Room Use Policy and Regulation with approved changes, Ms. Green second. All Ayes (5-0)

Nagog Pond Water Treatment Plant Deliberation - Jeff Roelofs gave an overview of the draft decision. In attendance was Roland Bartl, Planning Director. Mr. Roelofs stated that the draft decision was not meant for the Board to be influenced to make a decision, just a collaboration of many of the questions that the board had including many comments from the residents.

Drafted but not finalized by Clerk, 2016-2017

Approved by Board of Selectmen as is,

Board agreed to schedule a special meeting for March 14th at 7:00 for continuation of deliberations and decision.

Board members discussed in an early straw poll to see how members are leaning towards a vote, members are borderline non-supermajority. More deliberations on the March 14th special meeting.

Consent Items

Ms. Adachi moved to approve consent items 6-20, Ms. Green seconded. All Ayes

Ms. Adachi moved to adjourn, Ms. Green seconded. All Ayes. Meeting adjourned at 11:30 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Franny Osman, Clerk