



BOARD OF SELECTMEN

Meeting Minutes

Monday, June 15, 2020

7:00 PM

Virtual Meeting

Present: Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin, Town Manager
John S. Mangiaratti

Absent: None

Ms. Gardner called the meeting to order at 7:00 PM via a virtual meeting with no Board members in physical attendance and broadcasted via Zoom.us virtual meeting platform before a motion to enter into executive session.

I. Regular Business

1. Citizen Concerns

Terra Friedrichs, West Acton – concerned about BLM protests, inequity, and housing issues.

2. Chair Update/Town Manager Update

Mr. Mangiaratti updated the Board regarding the town's response to the pandemic. Went to the Library to see the curbside pickup program. Additional departments continuing services to the public. Question about a gas leak in South Acton, looking to hear back from National Grid to see if can be prepared. LRTA survey looking for feedback for services. Concord water meeting with representatives from Concord to roll out a communications plan. Plan to roll out subscription updates for residents that want to be informed and updated with the construction of the Nagog Pond Treatment plant. Warrant is being published tonight. Moderator meeting this Thursday, and presentation slides are due. Request for a Pump Track at Town Forest municipal property – will be presented to the Board at a later date for approval.

II. New/Special Business

3. 7:10 PM Request for Grant of Location, Eversource Energy, to Install Approximately 34 Feet of Conduit at Woodbury Lane

Christine Cosby represented Eversource. The conduit will be to provide electricity to 2 electric vehicle charging stations located in the municipal parking lot.

Mr. Charter moves the Board of Selectmen approve the application for Eversource to allow the installation of conduit under Woodbury Lane for this purpose, Mr. Martin seconds. Mr. Charter call roll:

Mr. Benson – aye

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye



Mr. Charter – aye
The Board voted 5-0, the motion carries.

4. Discuss Department of Revenue Emergency Spending Authorization

State law requires that municipal budgets be adopted and in place by July 1. The previously postponed April 6 Annual Town Meeting will be held on June 29. To provide for the unlikely event that Town Meeting is not held or the Town or School budgets are not approved, we approved a motion, consistent with recently enacted Massachusetts Department of Revenue legislation, allowing for the adoption of a so-called 1/12th spending package to ensure municipal operations of both town and school for the month of July, 2020. The spending authorization is for \$14,114,294.

Mr. Martin moves that in the event the Town does not approve an FY2021 budget by June 30, 2020, that the Board of Selectmen hereby approves the July 2020 deficit spending estimate of \$14,114,294 to operate the community, Mr. Berry seconds. Mr. Charter called roll:

Mr. Benson - aye

Mr. Berry - aye

Mr. Martin - aye

Ms. Gardner - aye

Mr. Charter - aye

The Board voted 5-0, the motion carries.

Mr. Martin moves to authorize the Town Manager to request from the Massachusetts Department of Revenue to allow the Town to have \$750,000 in overall deficit spending to cover expenses incurred from COVID 19 and eventually be reimbursed, Mr. Berry seconds. Mr. Charter called toll:

Mr. Benson – aye

Mr. Berry – aye

Mr. Martin – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

5. Updates and Discussion Regarding COVID-19 Pandemic

The Town Manager reported that Acton has had no new reported COVID case in the past ten days. Two residents are currently in isolation. The total number of reported cases in Acton is 170. Life Care Center of Acton reports it is COVID-free and visits from family members have resumed outdoors consistent with Gov. Baker's guidelines. Mr. Mangiaratti cautioned to remain vigilant and maintain social distancing, wash hands frequently and wear face coverings as required.

Mr. Mangiaratti updated the Board regarding the Small Business Grant program and received 50 applications for today's deadline. Applications are being reviewed for



eligibility. \$100,000 is available in funding. Plan on awarding 25 applications of up to \$4000 per business. Grant lottery will be held on June 18th. Selectmen will discuss a possible second round of funding on June 22nd. Emergency Rental Assistance Program received 60 inquiries and 15 applications.

Mr. Mangiaratti announced Acton and four neighboring communities have submitted a grant application seeking \$2,000,000 (\$400,000 per community) under the Massachusetts CDBG Program funded through the CARES Act and administered by the MA Department of Housing and Community Development. Funding would provide grants to businesses of five or fewer employees, including the owner, and/or funding to support public social service activities designed to assist persons who have been impacted by the COVID-19 virus.

6. Board and Committee Reappointments, and Reappointment of Planning Board Members to Approved Five Member Board

Mr. Martin moves to approve reappointments with exception of Nancy Tavernier and Andy Magee, Mr. Berry seconds. Mr. Charter called roll:

Mr. Benson – aye

Mr. Berry – aye

Mr. Martin – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

7. Board to Discuss Cable License Renewal Extension of Time

Mr. Benson pointed out a copy of the motion from Bill Solomon who has represented the Town with the Cable Advisory Committee and have not been successful in completing the process. Existing license will remain in effect until the contact is completed and agreed on with both parties.

Mr. Benson moves:

WHEREAS, the Town of Acton (“Town”) is desirous of completing the Cable Television License Renewal process and reaching a Cable Licensing Agreement with Comcast of Massachusetts, III, Inc., pursuant to the informal licensing process set out in Section 626(h) of the Cable Act;

WHEREAS, Comcast and the Town have engaged in a good faith cable license negotiations process;

And

WHEREAS, the Board of Selectmen (“Board”) as Cable Television License Authority deems it prudent to protect the interests of all parties with respect to the formal license renewal process.

NOW THEREFORE, because a Renewal License Agreement has not yet been finalized and issued by this Board, and in order to protect the interests of the Town and Comcast as both parties work to finalize a Renewal License Agreement, the Board pursuant to Section 626(c)(1) of the Cable Act, hereby votes to issue this “Preliminary Assessment of Friendly Denial” to provide additional time to complete the license renewal process and issue a renewal cable license.



In order to provide the best opportunity for the parties to expeditiously reach an agreement regarding a Cable Television Renewal License, the Town Special Cable Counsel will file a request/motion with the Department of Telecommunications and Cable of the Commonwealth of Massachusetts to extend the time for the Town to file a “written statement detailing the reasons for its preliminary denial” pursuant to 207 CMR 2.06(3). This will provide additional time for the parties to finalize an agreement and for the Town not issue a Renewal License, without the need to devote time and attention to matters other than the completion of the Renewal License agreement. Dated June 15, 2020.

Mr. Martin seconds, Mr. Charter called roll:

Mr. Benson – aye

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

8. Board to Approve Municipal Green Budget Advocacy Letter

Mr. Berry discussed a letter requested be sent to support a municipal green budget and programs. Mr. Charter not supportive of town staff involved in advocacy level of support. Natural Resource staff member Bettina Abe explained the letter was from the Director of OARS who requested the letter be brought to the Board for consideration.

Mr. Benson moves to approve the letter addressed to the Chairs of Joint Committee on Ways and Means to level fund for FY 21 the various State Environmental and conservation Departments set forth within the letter, Mr. Marting seconds. Mr. Charter called roll:

Mr. Berry – aye

Mr. Benson – aye

Mr. Martin – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.

9. Board to Consider Plans for Outdoor Dining and License Amendments

Mr. Mangiaratti updated the Board there are 8 restaurants with applications to serve food and alcohol outside.

III. Consent Items

Mr. Martin moves to accept consent item 10, Mr. Charter seconds. Mr. Charter called roll:

Mr. Berry – aye

Mr. Benson – aye

Mr. Martin – aye

Ms. Gardner – aye

Mr. Charter – aye

The Board voted 5-0, the motion carries.



Mr. Benson moves to adjourn, Mr. Martin seconds. Mr. Charter called roll:

Mr. Berry – aye

Mr. Benson – aye

Mr. Martin – Ms. Gardner – aye

Mr. Charter – aye

The motion carries.

Documents and Exhibits Used During this Meeting

- Agenda, June 15, 2020
- Request for Grant of Location, Eversource Energy
- Board and Committee Reappointments
- Department of Revenue Emergency Spending Authorization Memo
- Letter and Motion for Denial of Cable Television License Renewal of Comcast, June 15, 2020
- Municipal Green Budget Advocacy Letter
- Memo to Request to Accept Gift, Council on Aging