



## SELECT BOARD

Meeting Minutes *Amended November 1, 2021*

Monday, September 13, 2021

7:00 PM

Town Hall Room 204 with In-Person and Virtual Public Participation

**Present:** David Martin, Jim Snyder-Grant, Fran Arsenault, and Town Manager John S. Mangiaratti

**Absent:** None

**Remote:** Dean Charter, Himaja Nagireddy

Mr. Martin called the meeting to order at 7:00 PM.

### **I. Regular Business**

#### **1. Resident Concerns**

Carole Marcacci, Orchard Drive – commented on a recent Select Board meeting that a Social Worker stated there was no racism in Acton and read from a public statement about racist statements she has heard regarding people of color, especially black people, AB students of color and Jewish students, and a strong request to hire a more diverse people of color at the AB School system.

Clare Siska, Stow Street – commented about an email that was sent to the Town Manager's Office regarding a tragic incident involving a dog that had drowned at a Fort Pond culvert, and further that the Land Use Department and the Land Stewardship Committee work hard to keep these cleared and to remind people to use caution around those culverts with pets.

#### **2. Chair Update/Town Manager Update/Members Minutes**

Mr. Martin mentioned the 20<sup>th</sup> anniversary ceremony of 9/11. There will not be a need for a fall Special Town Meeting. Future Select Board meetings will begin at 7:30 PM with the exception of the September 20 meeting, which will begin at 7:10 PM due to a previously scheduled public hearing. Mr. Mangiaratti echoed Mr. Martin's mention of the successful 9/11 ceremony, mentioned the September 10 Town employee professional development day and thanked the public for understanding the closing of town buildings so that available employees could attend. The Boston Globe recently highlighted the dam at 53 River Street that is in a state of disrepair, is ordered for removal by the State, and is currently going through the permitting process. An historic park is planned to be developed in its place highlighting the industrial use history of the site. There are Climate Action workshops being offered this week that are open to the public. The Town received a Municipal Vulnerability Grant for \$150,000 to work on changing out the public facilities that use fossil fuels, and a grant from Mass Clean Energy Center for planning the next phase of our bike share program. The Municipal Monthly is available on the town website. The Police Department received a grant from the



Department of Mental Health to bring on a full-time co-response jail diversion clinician to assist with the police on calls that involve possible mental health issues. *Mr. Mangiaratti also reported on a follow-up to a discussion in July about two trees on Bumble Bee Way, a new street that intersects High Street. There are two large trees obstructing people when they are leaving that street. Manager and Tree Warden worked with the developer and the resolution they identified is to have the developer remove those two trees. They are not in great condition as far as trees go, and the police department confirmed that they created a hazardous condition. The developer will be planting six significant trees, four maples and two oaks, at locations to be approved by the Tree Warden, to continue the corridor of trees on High Street.*

Mr. Charter commemorated friend and former Highway Superintendent David Brown who had recently passed away. Mr. Brown worked for the Town for 40 years.

Mr. Snyder-Grant mentioned that the Volunteer Coordinating Committee will be meeting next week after some hiatus and encouraged any Board members to recommend those committees that urgently need new members; Climate Action Programs are being offered this week; met with two speakers from previous resident concerns who had spoken about each others statements. This listening session was helpful in clearing up misunderstandings. *With respect to the Powder Mill corridor study, Mr. Snyder-Grant was pleased to announce that the Assabet Village Co-op Market, a member-owned cooperative supermarket, has signed a lease to open a store at the Victory Plaza at 86 Powder Mill Road in Maynard. Mr. Snyder-Grant also acknowledged the Manager's statement about the Bumble Bee Way tree situation, and that there were urgent safety issues that needed to be resolved, glad that a resolution was reached, even though it was not the one he was advocating for. Ms. Nagireddy expressed that the Water Resources Advisory Committee needs new members and is requesting an associate member be promoted to a full member.*

## II. Public Hearings

3. 7:10 PM Liquor License Transfer from the Red Raven, Inc to Frolic & Detour, LLC, 3 Nagog Park

Representing Frolic & Detour, LLC was Vince Jolivette and Eva Zelnick. Ms. Zelnick commented that there wasn't much to change in hours of operation, but to improve the food and beverage menu and focus on bringing more clientele into the restaurant from 6-10 PM, and improve the food choices for the kids menu with healthier choices. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault to close the hearing and voted unanimously by roll call. Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve the all alcohol liquor license transfer from Red Raven, Inc to Frolic & Detour, LLC and voted unanimously by roll call.**

4. 7:15 PM Common Victualler License, Frolic & Detour, LLC, 3 Nagog Park



Representing Frolic & Detour, LLC was Vince Jolivette and Eva Zelnick. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault to close the hearing and voted unanimously by roll call. Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve the common victualler license and voted unanimously by roll call.**

5. 7:20 PM High Street Road Safety Audit Report

Corey York, DPW Director introduced the Board to the result of the road safety audit to improve the safety of High Street. Representing Toole Design was Kristof Devastey. Mr. Devastey presented the Board their findings and recommendations as a result of their safety audit.

Comments from Board members included possibly adding flashing beacons on Parker Street, and considering also on Conant Street, calming deflections, medians and other measures to slow drivers down, confirming that 4500 vehicles was a one-day measurement, identifying if trees or stone walls would need to be removed to accommodate mini traffic circles.

Franny Osman, West Acton, questioned if a crosswalk was considered for High Street at Faulkner Hill Road.

Mr. Mangiaratti commented that with the presentation and comments, staff will make recommendations for road improvements.

6. 7:25 PM Amendments to Existing Traffic Rules and Orders

- Beverly Road – stop sign
- Faulkner Hill Road at High Street – stop sign
- Strawberry Hill Road – no parking signs from Great Road to Esterbrook Road
- Fee Structure for Electric Vehicle Charging Stations

Mr. Mangiaratti is proposing to charge \$2.00 per hour (\$0.30 per kilowatt hour).

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault to add stop signs at Faulkner Hill Road at High Street, no parking signs on Beverly Road and Strawberry Hill Road from Great Road to Esterbrook Road, and voted unanimously by roll call vote.**

**III. New/Special Business**

7. Local Rapid Recovery Program Update

Mr. Mangiaratti updated the Board on the progress of the Local Rapid Recovery Program to assist the community with post-pandemic recovery. The draft report will be available online beginning tomorrow and will be consulting with staff and business owners for feedback. Public comments will be accepted on the proposed five programs by September 22, and a final virtual public workshop on September 28 hosted by the Planning Director, with the final recommendations transmitted to the State by October 3.

8. Discuss Draft Statement and Other Next Steps to Join the ICLEI150 in Race for Zero

Sustainability Director Andrea Becerra updated the Board with the statement that was requested by the Board for the application for ICLEI. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve the statement as read by Ms. Becerra and join ICLEI150 Race to Zero and voted unanimously by roll call vote.**



9. Approve Intermunicipal Agreement for Regional Transportation Pilot Program Called Making the Connection

Franny Osman, West Acton, presented the Board with some background on the proposed program regarding an idea of micro-transit systems such as utilizing ride-share/taxi program in partnership with the Town. The Metropolitan Area Planning Council encouraged the Town to apply for a Community Compact Grant to join an intermunicipal pilot program. **Mr. Snyder-Grant moved, seconded by Ms.**

**Arsenault that the Town of Acton, according to Chapter 40, Section 4A of the General Laws of the Commonwealth of Massachusetts, enter into an intermunicipal agreement with the Town of Sudbury for the purposes of providing additional transportation services through the Making the Connections pilot program, and appoint a representative to serve on the program Steering Committee and voted unanimously by roll call vote.**

10. Approve Letter of Support for DCR Urban and Community Forestry Program Grant

Mr. York commented that this is a competitive grant and forestry programs to continue the assessment of street trees. Mr. Snyder-Grant expressed a concern that the proposed draft was not limited to street trees and included forest management. **Ms. Arsenault moved, seconded by Mr. Snyder-Grant to authorize the Chair to sign a letter of support focusing on street trees and voted unanimously by roll call vote.**

11. Approve North Acton Fire Station Solar Contracts and Payment In Lieu of Taxes Agreement (PILOT)

Jessica Wall from Town Counsel's Office briefed the Board on the solar contract for the North Acton Fire Station and ready for review and approval – power purchase agreement, lease, and the PILOT. The contract is for a 20 year term. The purchasing power is through Solect Energy. **Mr. Snyder-Grant moved, seconded by Ms.**

**Arsenault to authorize the Town Manager to sign the Power Purchase Agreement, Lease Agreement, and Payment In Lieu of Taxes Agreement and voted unanimously by roll call vote.**

12. Discuss and Vote on Date of 2022 Annual Town Meeting and Town Election

Mr. Martin proposed to the Board two items, deciding to change the date of annual town meeting and town elections. By having the Annual Town Meeting at the beginning of the fourth quarter of the fiscal year will allow to have a better financial understanding of more of the year. This would give more time for the Finance Committee, the Acton-Boxborough Regional School District and coordination with Boxborough's Annual Town Meeting which occurs the second Monday in May.

Town Elections cannot be changed because it would require a bylaw change at the next town meeting. Mr. Martin proposed to the Board if they would consider a bylaw change to limit the time between elections and Town Meeting for the purpose of swearing in new Board Members to be no more than 15-30 days post-election. Mr.



Martin recommended to have elections postponed to the first week in April and Town Meeting the first Monday in May. Staff reviewed what they had heard from the school about the availability of the high school auditorium in May of 2022. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault to set Annual Town Meeting to May 16, 2022 and voted unanimously by roll call vote.**

**Mr. Snyder-Grant moved and seconded by Ms. Arsenault to direct Town Counsel and the Town Manager to draft language for bylaw changes for town elections to be held the second Tuesday in May and Town Meeting to be the third Monday in May and voted unanimously by roll call vote.**

**13. American Rescue Plan Act Presentation**

Mr. Mangiaratti presented the results of the ARPA funds needs assessment. Funding categories are based on supporting public health response, replacing public sector revenue loss, addressing negative economic impacts, providing premium pay for essential workers, water and sewer infrastructure, equity-focused services, and broadband infrastructure. Board members wish to hear from entities such as the Acton Housing Authority and members of the public, regarding potential other uses for the money not currently already listed in the presentation. The Town was awarded \$7,072,733.

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault that the Select Board accept on behalf of the Town of Acton the seven million seventy-two thousand seven hundred thirty-three dollars in funding allocated to our community from the American Rescue Plan Act and voted unanimously by roll call vote.**

Mr. Mangiaratti requested the Board to consider endorsing the use of \$400,000 in ARPA funds to offset revenue loss related to FY21 local receipt shortfall to deliver services in FY22. Mr. Martin requested that the Board wait on that request until the Finance Committee hears the ARPA presentation at its meeting and provides recommendation for the fund allocation. An online survey has been created for public comment and is available for submission until October 13, 2021. A listening session for the use of ARPA funds is scheduled for the Select Board meeting on September 20, 2021. The Board will review updated ARPA investment priorities at its October 4, 2021 meeting, with a final recommendation at its October 18, 2021 meeting. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault that the Select Board approve the process for allocating ARPA funds as presented on September 13, 2021 and voted unanimously by roll call vote.**

**14. Proposed Resolution for Indigenous Peoples Day**

Members of the Board recommended allowing for public input towards the proposed resolution. Members of the public opined on allowing for consultation with indigenous groups and allowing further public input.

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault that the Select Board declares it is in favor of making the second Monday in October Indigenous People's Day and that they launch a process of consultation with indigenous**



**communities and Acton residents with the intent of preparing a formal declaration during the upcoming year and voted unanimously by roll call vote.**

**IV. Consent Items**

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve consent items 15-25 and voted unanimously by roll call vote.**

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault to adjourn and voted unanimously by roll call vote. Meeting adjourned at 10:50 PM.**

**Documents and Exhibits Used During this Meeting**

- Agenda, September 13, 2021
- Liquor License Transfer Application, Red Raven LLC to Frolic & Detour, LLC
- Common Victualler Application, Frolic & Detour
- High Street Road Safety Audit Report
- Amendment to Traffic Rules and Order, Beverly Road
- Amendment to Traffic Rules and Orders, Faulkner Hill Road at High Street
- Amendment to Traffic Rules and Orders, Strawberry Hill Road
- Amendment to Traffic Rules and Orders, Electric Vehicles Charging Fees
- ICLEI150 Draft Statement
- Making the Connections Intermunicipal Agreement
- DCR Urban and Community Forestry Program Grant Application Request for Letter of Support Dated August 13, 2021
- North Acton Fire Station Solar Contract and PILOT Agreement
- ARPA Presentation and Memo Dated September 13, 2021
- Draft Indigenous Peoples Day Resolution
- Meeting Minutes, August 16, 2021
- Executive Session Minutes, August 16, 2021
- Letter from DCU Dated July 20, 2021
- Memo from Recreation Department Dated August 12, 2021 Requesting to Accept a Gift from Gould's Clothing for \$500
- Memo from Recreation Department Dated August 12, 2021 Requesting to Accept A Gift from Stage Music Center for \$3,000
- Memo from Recreation Department Dated August 27, 2021 Requesting to Accept a Gift from Mary Lou Smart for \$100
- Memo from Veterans' Services Dated August 23, 2021 Requesting to Accept a Gift from Tom Wojick for \$300
- One Day Alcoholic Beverage License Application from Karen Herther and Gary Kappel at NARA Park on October 3, 2021
- One Day Alcoholic Beverage License Application from Lisa Harsip at NARA Park on October 2, 2021

