



SELECT BOARD  
MEETING MINUTES  
SEPTEMBER 12, 2022  
7:00 PM  
ACTON TOWN HALL, ROOM 204  
472 MAIN STREET

Present: Dean Charter, Jim Snyder-Grant, Fran Arsenault, David Martin, Town Manager John S. Mangiaratti, and Assistant Town Manager Mark Hald  
Remote: Himaja Nagireddy

**I. Regular Business**

Mr. Charter opened the meeting at 7:00 PM.

1. Resident Concerns

Jim Wood, Redwood Road - commented on the statement he had made at the previous Select Board meeting and felt his comment was disrespected and read from a prepared statement included in the Docushare meeting packet.

Leo Fochtman, Wright Terrace – agreed with Jim Wood’s statement and that the response of Select Board members was not interpreted correctly regarding his statement and suggests that the Select Board take into account why any registered voters that may feel uncomfortable voting and come up with a solution to improve relations with the police presence at polling locations.

Alissa Nicol, School Street – noted a Docushare issue with expiring or exceeding concurrent user licenses, inhibiting public access to documents particularly before public meetings, and asked that the matter be addressed. Asked whether questions would be accepted for a public hearing for 100 Discovery Way – Mr. Charter noted it will be continued.

Bill Klauer, Piper Road – questioned about the use of the properties on School Street and feels there is more to the property than creating more congestion in the area and that it serves a purpose in the community.

Amber Klauer, Piper Road – concerned about a recent serious accident at the intersection of Piper Road and Route 2 and suggested adding a medical call box on both sides of Piper Road.

Anping Liu, Monument Place – commented on battery storage warehouse facility proposed on Discovery Way and was encouraged to comment when the public hearing is held.

Cheryl, Harris Street – commented on the needs of renters and the intimidation practices of landlords towards tenants occurring for renters requiring maintenance updates on the properties.

Stella – wish they could acknowledge the harm the residents comment caused, supports the work of Housing and Climate Justice for Acton

Martin Benson, Deacon Hunt Drive – commented on requesting a records request regarding emails and items surrounding a former Select Board member and stated he did not receive a response within the required amount of time per the request from the Secretary of State and requests an answer from the Town Manager.

Daniel Gilfix, Vanderbilt Road – commented on the renter advocate position and hiring a person that would advocate for renters or a volunteer committee that renters to go to and air their grievances.

Linda Vieira, Great Elm Way – thanks Select Board to allow for residents to speak about their issues or concerns not related to items on the agenda. Noted resident's comment at a previous Select Board meeting was targeted, people's experiences matter, and the Chair should ensure people are respectful.

Barbara Lang, Nagog Woods – questioned if there was information available about the sale of the commercial property at Nagog Park.

2. Chair Update/Town Manager Update/Members Minutes

Mr. Mangiaratti thanked Julie Pierce and other volunteers for the Kelley's Corner Block Party kickstarting the upcoming Kelley's Corner construction. The Finance Department received a DOER award and a ceremony was held in Somerset regarding the Baker-Polito Administration awarding a grant to the Town of Acton for the 53 River Street Dam removal and historical park project starting within a year. Town offices will be closed on Friday, September 16<sup>th</sup> for an Employee Professional Development Day. On Thursday, September 15<sup>th</sup> at 7:00 PM there will be a Complete Streets public meeting regarding Great Road. The State will be sending out thousands of COVID tests and the Health Division will be distributing them throughout the school district and town offices. The town recently logged the 5,000<sup>th</sup> call to the Town Services Hotline that originated during the beginning of the pandemic. On September 27<sup>th</sup> there will be an open house at the Human Services and Senior Center Facility at 30 Sudbury Road from 4-6 PM. Mr. Mangiaratti will follow up with the resident that questioned the status of a public records request and will look into it and get back to him. Mr. Martin updated on the school building project and that the two older school buildings will be torn down. The opening of the school was marred with anti-semitic marking on the first day of school and reminded that the Select Board has an antisemitism policy and apologizes if anyone was upset by the discovery. Ms. Nagireddy commented on the antisemitic markings and thanked the school for addressing it so quickly and thanked people who offered support for the comment made by the resident at a previous Select Board meeting. Ms. Arsenault commented that she felt Ms. Nagireddy was targeted as a new Board member regarding the comment read by a resident at the previous Board meeting, and that

her comment regarding police officers at polling locations was regarding her perspective and a suggestion towards the Town Manager. Mr. Charter commented on the 9/11 ceremony that was held at the Public Safety Facility this past Sunday and how fortunate the community is to have such outstanding members of the Fire and Police Departments and encourages people to respect individual opinions.

## **II. Public Hearings**

### **3. SPSP #7/12/2022-487, 100 Discovery Way**

Mr. Charter read the public hearing notice. **Mr. Snyder-Grant moved and seconded by Mr. Martin to open the hearing and to continue to October 3, 2022 at 7:10 PM in Room 204 at Acton Town Hall and by Zoom.**

Mr. Snyder-Grant questioned what would be most helpful to mitigate questions regarding the hearing, Mr. Mangiaratti noted questions can be sent to the Town Manager Office. **Ms. Nagireddy called roll and was approved unanimously.**

### **4. Class II Auto Dealership License, the Fifth Element, LLC, 448 Great Road**

Representing The Fifth Element, LLC was Ravil Abilkadyrov.

Mr. Martin questioned what was previously located on the site; it was previously Buttons to Bows. Mr. Martin questioned on how many cars will be located on the site. There will be originally 10 cars, up to 25, and there will be no auto repair on the site. Mr. Snyder-Grant questioned if there will be any changes to the (interior) building. No changes will be made.

**Mr. Martin moved, seconded by Mr. Snyder-Grant to close the hearing and approved unanimously by roll call vote. Mr. Snyder-Grant moved, seconded by Mr. Martin to approve a Class II Auto Dealership License at 448 Great Road and approved unanimously by roll call vote.**

## **III. New/Special Business**

### **5. Discuss Select Board Liaison to the 250 Committee**

Mr. Charter is committed in serving as liaison to the committee and is passionate about local and national history, and was one of the Select Board Goals set for FY23 that was supported by the Board. As liaison, he would make sure Board members were generally supportive for Mr. Charter to serve as liaison for the 250 Committee.

Nijan Datar, Wyndcliff Drive - commented on Mr. Martin's request for revising the charge and noted concern that the committee would be potentially seated with people who may be anti-American, or inhibit immigrants from joining, or people being on the committee who are offended by the former Colonial school mascot and lose the meaning behind who fought in the Revolutionary war.

Terra Friedrichs, Mass Ave – hopes that people keep the 1619 project in perspective, and focus on that the two parties (Colonials and Great Britain) were fighting over land that was not theirs.

Janet Adachi, Simon Hapgood Lane – the 250<sup>th</sup> anniversary ceremony is a celebration of all regardless of ancestry and a great opportunity to learn about the people at that time and educate those that are resistant to change.

6. Discuss Indigenous Peoples Day and Proclamation

Ms. Nagireddy updated the Board regarding a resolution for Indigenous Peoples Day and reached out to Dan Boudillion – a local historian on Indigenous People who is not indigenous himself and has connections with indigenous tribes in the area - and sent it to Nashobah Tribe leadership. Ms. Nagireddy is requesting the Board more time for the tribe to review the resolution and return it to the Board on October 3<sup>rd</sup> meeting. A ceremony is planned for October 8<sup>th</sup> and currently working with Maria Palacio for a ceremony and performance from the Nashobah Tribe honoring Indigenous Peoples Day which falls on October 10<sup>th</sup>. Mr. Snyder-Grant questioned if anyone had reached out to members of the Nipmuc tribes, Ms. Nagireddy noted she was working to keep the resolution as broad as possible, but welcomes reaching out to a member of the Nipmuc Tribe. Mr. Charter suggested making the document open for public comment, editing the document down, and focusing on how this affects Acton and Middlesex County. Mr. Charter noted the history of Columbus Day and doesn't want groups such as Italian-Americans to feel discriminated against by removing Columbus Day

Terra Friedrichs, Mass Ave – appreciates the efforts for the resolution and to only reach out to the tribal leader and to include findings of the 250 Committee.

Cheryl Kennedy-Perez, Harris Street – encourage to be true to the name and definition of (the title) and to have correct history represented.

Scott Smyers, Central Street – questioned about why there needs to be another holiday to replace a holiday if there is already an Indigenous Peoples Day on August 9<sup>th</sup>, Ms. Nagireddy noted that August 9<sup>th</sup> is a UN day of recognition, not recognized by the US gov, and Indigenous Peoples Day would be held on October 10<sup>th</sup> (currently known as Columbus Day). Mr. Smyers cautions replacing holidays.

John Dawson – concerned driving a wedge between people regarding Columbus Day vs. Indigenous Peoples day and noted there is already a month dedicated to Indigenous Peoples.

Alissa Nicol, School Street – noted the August 9<sup>th</sup> event is a UN event – not a recognized US holiday, and the indigenous peoples are requesting this change.

7. Listening Session – Comments on Revised American Rescue Plan Act Investment Plan

Mr. Mangiaratti updated the Board on the ARPA Investment Plan. Last year the Board allocated \$7 million with \$2 million left in reserves and \$1.5 million were earmarked and is now before the Board as a listening session for recommendations on ARPA funding requests, then a second meeting on October 3<sup>rd</sup>, with a final hearing of recommendations at the end of October. Mr. Mangiaratti noted recent project funding requests that have come forward from

Acton Water District, Acton-Boxborough Regional School District and Acton Housing Authority. Mr. Mangiaratti read a list of projects slated for funding with ARPA funding and provided an update for all projects originally slated for ARPA funding, and recent submissions of requests for additional funding from internal stakeholders. Acton Water District Commissioner Stephen Stuntz presented a request for \$1.3 million for PFAS removal.

Terra Friedrich, Mass Ave –proposing ARPA funding for a renter advocate position and funding for Acton Water District PFAS removal.

Erika Amir-Lin – president of the Board of the Nagog Treatment Facility, noted that they received \$150,000 in ARPA funding (with an original request of \$300,000), and are now requesting an additional \$150,000 to update the plant and address infiltration issues.

Mr. Martin represented the School District’s request for an upgraded telephone system to connect the buildings and an expansion of mental health services for the school system.

Bettina Abe, School Street – commented on the Jenks culvert project and the need to fund engineering services.

Franny Osman, Half Moon Hill – commented on the Transportation funding request to add a second CAT bus and hire an additional driver.

Catherine Usoff, Maddy Lane – chair of the Economic Development Committee – commented to send money to local business and support infrastructure to attract more businesses to Acton to help reduce the tax burden on the residents of Acton.

Cheryl Kennedy-Perez, Harris Street – relies on the CAT for transportation and supports funding for an additional bus.

The Board will revisit Town proposals at their October 3<sup>rd</sup> meeting.

Mr. Snyder-Grant suggested ARPA funding for the Climate Action Plan. Mr. Mangiaratti will have a finalized list for the Board to discuss at the October 3<sup>rd</sup> meeting.

8. Discuss Next Steps for Affordable Housing Trust Study Approved at Annual Town Meeting Under Article 42

Planning Director Kristen Guichard presented the next steps for the affordable housing trust study approved at Town Meeting under article 42. Town Meeting voters approved \$2,500 for the study. Ms. Guichard suggested the overview of the scope of work for the study.

Mr. Martin questioned if the consultant would be asking for information or if a specific proposal would be put and questioned what the pros and cons are for who manages the trusts. Mr. Snyder Grant feels that if the public sees how much work a private group has put into passing the article at Town Meeting and supports for increasing the amount towards the study.

Ms. Nagireddy questioned the timeline for the study, Ms. Guichard stated it would be a combination of a public hearing with information listed on the town website and social media networks within the next six months.

Mr. Charter expressed reluctance to provide additional funding in excess of what was voted at Town Meeting.

Terra Friedrichs, Mass Ave – requests the Town Manager use the previous research the group has conducted, and fund to hire the specialist and use a market rate analysis of housing not close to town and also close to town.

Alissa Nicol, School Street – commented that SHI should be focused on not building new affordable housing but rehabbing current buildings to keep them affordable, and hire the specialist after completing the economic feasibility analysis.

Mr. Charter feels the proper procurement needs to be followed and to come back to the Board with an updated proposal at a future meeting in October. Ms. Arsenault asked if the goal was to put out a bid to several, and the Town Manager noted that yes, the plan here is to establish scope and that scope can then be used to solicit proposals. Mr. Snyder-Grant suggests setting up a meeting with the suggested professional and possibly people from RHO and ACHC and come back to the Board at a future meeting.

Michaela Moran, School Street – feels that the scope developed by the Planning Division was expanded and should be scaled back compared to the economic feasibility study.

9. Approve Memorandum of Understanding for Participation in MBTA Youth Pass Program

Austin Cyganiewicz, Director of Intergovernmental Affairs presented the MOU seeking authorization from the Chair or his designee to approve the Youth Pass Program with the MBTA for reduced fares. There is no cost to the town to enroll with the program. Mr. Cyganiewicz will also reach out to the School District to notify the enrollment and encourage schools to work with the MBTA to develop their own program.

**Mr. Snyder-Gran moved, seconded by Mr. Martin for the Chair to sign the memorandum of understanding for reduced MBTA fares and approved unanimously by roll call vote.**

10. Discuss Proposed Changes to Cross Town Connect and Transportation

Austin Cyganiewicz, Director of Intergovernmental Affairs summarized the separation of utilizing a Transportation Management Association model for the CTC and step back as a fiscal agent and look into reorganizing the operation of the CTC and the use of shared regional dispatch (we would still pay for dispatch and work with our other municipal partners)

Franny Osman, Half Moon Hill – feels it is a good idea to separate the businesses from the municipality, but wants to make sure Acton does not lose voice in the decision-making. Agrees that we need to have more ride sharing options for longer trips outside of Acton, expand sharing dispatch to increase hours of operations including weekends and nights; encourages the town to work with other communities to make our transportation system more robust.

Danny Factor, Davis Road – concerned about communication and work being conducted in concert with the Transportation Advisory Committee and encouraged the people working on this project formally present to the Transportation Advisory Committee and accept comments and suggestions before finalizing changes.

**11. Discuss Town Hall and Library Parking Lot Design**

Mr. Mangiaratti presented plans for a redesign of the parking lot, the Town just awarded a contract for the re-design of the Town Center and added additional requests to include improvements to the Town Hall and Memorial Library parking lot. Mr. Charter suggested that the plan not decrease the number of parking spaces, be reviewed for ease of snow plowing purposes, and feels it is a good plan with the added pedestrian plaza in front of the library, and has been recommended as part of a capital plan many years ago. Mr. Martin suggested to consider relocating the book drop off and ballot drop off

Mike Gowing, Harris Street – made suggestions regarding changing the designated entrances and exits.

Mr. Mangiaratti will work with the architects for an updated design and present to the Board at a future meeting.

**IV. Sewer Commissioners Business**

**12. Approve FY23 Sewer Operations and Maintenance Rates**

Stephen Barrett, Finance Director presented the proposed FY23 Sewer O+M rates. Mr. Barrett recommends a 5% increase which facilitates FY23 sewer initiatives with inflow and infiltrations and PFAS testing. Mr. Snyder-Grant questioned if the Sewer Commissioners set the rate hike too low, would it tap into the 1.1 million in reserves, and if the Finance Director is comfortable with the requested rate hike percentage, Mr. Barrett confirmed with his recommendation, and comfortable with the reserve levels. Mr. Snyder-Grant asked if our reserve was low and Mr. Barrett mentioned that our operating reserve is ok / stable. Ms. Nagireddy questioned if the I&I control will continue – Mr. Barrett confirmed the budget allows for that.

Alissa Nicol, School street asked about the offset of the Powder Mill Place and residential, and requesting an audit for sewer.

Mr. Martin question about the amount of the budget on the debt service.

Mr. Snyder-Grant expressed that he was unsure of the rationale for why the proposal calls for a 5% raise over another number

**Mr. Martin moves to approve a 5% sewer O+M rate increase, seconded by Ms. Arsenault 4-1-0 (Mr. Snyder-Grant abstain).**

**V. Consent Items**

Ms. Arsenault held consent item 20. Ms. Arsenault requested to remove Roxy Weber for consideration as she has not been interviewed by the Volunteer Coordinating Committee. **Mr. Martin moved, seconded by Mr. Snyder-Grant to approve**

**consent item 20 as amended and approved unanimously by roll call vote. Mr. Martin moved, seconded by Mr. Snyder-Grant to approve consent items 13-19, and 21-22 inclusive and approved unanimously by roll call vote.**

**Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved unanimously by roll call vote. Meeting adjourned at 10:45 PM.**

### **Documents Used**

- Agenda, Select Board, September 12, 2022
- Public Hearing Notice for Site Plan Special Permit #7/12/2022-487, 100 Discovery Way
- Class II Auto Dealership License Application, The Fifth Element, LLC, 448 Great Road
- Indigenous Peoples Day Proclamation
- Email from John Mangiaratti from August 18, 2022 regarding an update on Housing Trust Feasibility Study
- Memorandum of Understanding for Participation in MBTA Youth Pass Program
- Memo from Director of Intergovernmental Affairs regarding proposed changes to Cross Town Connect and Transportation dated August 31, 2022
- Memo from Stephen Barrett Regarding FY 2023 Sewer O+M Bill Recommendations Dated September 12, 2022
- Hawk Ridge Memorandum of Understanding
- Meeting Minutes, August 22, and September 7, 2022
- Executive Session Minutes, August 22, 2022
- Letter of Support for McManus Manor
- One Day Alcoholic Beverage License Application, Nashoba Valley Neighbors Club
- One Day Alcoholic Beverage License Application, Emily Robbins
- One Day Alcoholic Beverage License Application, Solar on Earth
- Email from Fran Arsenault requesting appointments to the Human Services Committee Dated August 24, 2022
- Email from Jim Snyder-Grant requesting a Committee Appointment from Associate to Full Member of the Planning Board dated August 24, 2022
- Memo from Julie Pierce Onos requesting to accept gifts to support production costs for the Kelley's Corner Block Party dated September 7, 2022