



SELECT BOARD  
MEETING MINUTES  
JANUARY 9, 2023

6:30 PM

ACTON TOWN HALL, ROOM 204  
472 MAIN STREET

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

At 6:30 PM, Mr. Charter called the open meeting of the Select Board to order.

Mr. Martin moved, seconded by Ms. Arsenault and voted unanimously by roll call to enter into executive session to consider the purchase, exchange, value of real property located at 549 Main Street under purpose 6 as an open session may have a detrimental effect on the negotiating position of the public body and at the conclusion, the Board will reconvene in open session.

**I. Regular Business**

**1. Resident Concerns**

Corrine Hogseth, Indian Village – registered her complaint about the Board’s removal of David Lunger from the 250 Committee due to a complaint from Sahana Purohit regarding social media posts made including political beliefs, the procedure of how he was vetted by the Board and First Amendment rights.

Franny Osman, Half Moon Hill – thanked the Town Manager for improving the Zoom meeting video of the hearing room. Commented on the letter she wrote to the Planning Board regarding the zoning changes that didn’t pass at a previous town meeting, and to be proactive on what happens to the KMart parcel.

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

Mr. Mangiaratti announced receiving a competitive funding grant to participate in the New England Foundation for Arts and will be participating in a workshop series for public art projects and will be working with the Planning Division and the Economic Development Director. Mr. Mangiaratti noted email received regarding the increase in residential taxes and explained it was due to the recent assessment of homes, whose valuations increased by 16%, and the tax rate was decreased to \$17.56. Mentioned the FY24 Budget Workshop will take place on January 17 in Room 204; attending the Human Services Committee meeting this Thursday evening with presentations from Human Services staff; League of Women Voters hosting a forum on starting a local newspaper on February 4<sup>th</sup> in Room 204.

Mr. Snyder-Grant noted Marge Kennedy, member of the LWV passed on December 20<sup>th</sup>. Announced his intention to run for re-election.

Mr. Charter announced the first meeting of the 250 Committee will be January 26 at 7:00 PM in Room 9.

## **II. Public Hearings**

### **3. 7:10 PM Class II Auto Dealer, 184 Great Road**

Mr. Charter read the public hearing notice. Coleman Hoyt, President of Acton Lincoln Mercury, Inc represented the application. He currently has two adjacent parcels, with different types of vehicles, and seeks licensing compliance with regard to the 184 Great Road parcel. Mr. Martin asked how many vehicles will be on site for sale. Mr. Hoyt responded anywhere between zero and 75, depending on the availability of stock, and there will be auto service on the property, which has been approved previously for use.

**Mr. Martin moved, seconded by Ms. Arsenault to approve a Class II Auto Dealer license for Acton, Lincoln Mercury, Inc at 184 Great Road and approved unanimously.**

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

### **4. Approve Recommendations Regarding the Role and Responsibilities of the Citizen Library Trustees**

The West Acton Citizens' Library Trustees convened their meeting prior to the discussion of this agenda item (6:30 pm ET).

Mr. Mangiaratti summarized conversations that have occurred over the past year, with the retirement of the previous Director, and hiring the current Director. He highlighted goals of the West Acton Citizens' Library (WACL), appointment of a new trustee, and have been meeting regularly, but some ambiguity remains regarding the Trustees' roles and responsibilities. Mr. Mangiaratti provided a memo in the packet which included the presentation to both the Select Board and WACL Trustees from July 11, 2022. The only definition was the appointment of Trustees and acceptance of the WACL facility at the 1962 Annual Town Meeting - no bylaws were established regarding the role of the WACL trustees. Mr. Mangiaratti requested to have that clarification, and looks for direction from the Select Board to work on either a draft local bylaw outlining the roles, or draft an amendment to the Memorial Library's Special Legislation.

Mr. Charter reiterated his commitment to support the WACL and keep it running. Ms. Nagireddy is liaison to the WACL Trustees, and noted the vote to accept the WACL as a branch of the Memorial Library at the 1962 Annual Meeting.

Mentioned integrating the two Boards could be beneficial, especially when holding events requiring the need for ADA compliance by holding them at the Memorial Library or virtually, and should collectively work together, staff and trustees, to define the roles of the trustees.

Mr. Martin noted concerns in past about the lack of services before joining the MLN, and lack of hours, operating with a part-time staff, and the improvement

since joining MLN. The WACL trustees are not library trustees under the statutory definition, yet currently oversee the finances of the WACL Gift Fund and should be considered a branch of the Memorial library. Mr. Snyder-Grant noted that he sees the trustees having a greater role than what the memo currently says. Ms. Arsenault questioned what the WACL gift fund is used for, and would they still be responsible for the trust fund if the trustees were to merge with the Acton Memorial Library (AML) Trustees. Town Counsel Nina Pickering-Cook affirmed that they would be a sub-committee of trustees if they merged with the AML trustees.

Maria Palacio, director of the Memorial Library and WACL gave a progress report on the two-branch system. Ms. Palacio noted the WACL is not set up as a separate library in the MLN. Staff is circulated as needed to cover the WACL in the absence of the WACL Manager to maintain scheduled library hours. Ms. Palacio commented on the many new programs scheduled for 2023, noted the donated meeting tables to WACL from Municipal Properties along with support for ordering materials for WACL, a new people counter, working with IT for safety improvements for both staff and visitors, and worked with Municipal Properties to replace the faulty furnace in November.

Dot Curtis, WACL Trustee – concerned that have not been given a chance to participate in any decisions made, and want to collaborate in future decisions, beyond simply overseeing the trust fund, expressed how much more they can contribute, and to consider a future bylaw regarding their role and responsibilities, and involvement with future programming.

Annette Lochrie, WACL Trustee – commends the commitment and support, feels it is appropriate that the trustees have input beyond the trust fund. Requests being allowed to continue working together drafting a bylaw.

Tara Leuci, WACL Trustee – reviewed historical minutes, and asked to consider including other items such as state aid, hours of operation, and the trust fund as the responsibility of the Trustees. Noted that a survey was distributed in 2019 on how to best serve residents, and have collaborated with staff during the last Trustees meetings regarding drafting bylaws. Feels that there are communication gaps, feels like the trustees are being stripped away and as a board they have more to offer, and should collaborate moving forward.

Ann Chang, AML Trustee – does not wish to have the WACL Trustees be part of the AML Trustees as there are already the AML Trustees, Corporate members, Friends of Memorial Library and should have a bylaw created just for direction of the WACL Trustees.

Maria Palacio, Library Director – Noted it's really hard having to report to two boards and the duplication of time/resources. Requested we move toward one policy because otherwise it makes operations much more difficult.

Terra, West Acton – reiterated the proposed bylaw by the Town Manager supersedes the WACL proposed bylaw and under state law trustees have control over the library in absence of specific bylaws. Read from Article 54 of the 1962 Annual Town Meeting.

Mr. Martin noted that it is not working for town staff to work divided under two separate management policies, the need for one set of policies for both libraries, and that WACL should be operating as a branch of AML, and that they are not trustees under Mass. General Laws.

Mr. Snyder-Grant – sees what the Trustees are saying and what staff are saying. Feels the Trustees have not been treated fairly.

Ms. Pickering-Cook clarified that a bylaw would give the trustees some legal authority, where there is currently no enabling legislation defining the WACL Trustees' authority or to create their own bylaws on how they operate as a board. The 1962 Town meeting vote did not define the authority of the WACL trustees to make any other decisions other than overseeing the trust fund. Noted that they looked into the Article Terra brought up and determined it does not apply in this case.

Nancy Lenicheck – questioned if the WACL never establish bylaws.

Mr. Martin suggests that it is not permissible for the trustees be part of the hiring process and staffing of the WACL which is not feasible since it is overseen by the AML and does not have the traffic the AML has and feels that one entity has to oversee operations in collaboration with the other. Programming, hiring, etc. is not overseen by WACL trustees, just their gift fund.

Mr. Snyder-Grant suggests amending the AML Special Act of the Library Board to manage the two branches of the library, and feels there is still communication work to be done between staff and the library board, and more time is needed to collaborate rather than rush into the upcoming Town Meeting. Ms. Nagireddy feels the best form is to integrate the two Boards and would be comfortable voting to decide which path to take to amend the special act. Noted that she will work closely with staff and Trustees to make sure Trustees have a tangible say in the drafting process, and consensus is reached, as much as possible. Mr. Charter feels it would not be ready for the Annual Town Meeting in May.

**Mr. Martin moved, seconded by Ms. Nagireddy to direct staff to prepare a draft amendment to AML's special legislation for a future Town Meeting to clarify that the Citizens' Library operates as branch library and outlines the specific duties of the Citizens' Library Trustees. All efforts should be made to have this be a consensus decision and approved unanimously.**

5. Discuss Potential Articles for Annual Town Meeting

Mr. Hald presented the current list of articles and the timeline to the Annual Town Meeting. The Board voted on December 19, 2022 to close the warrant on February 15, 2023. Several of proposed zoning bylaw amendments could be considered for consent. Two of the zoning bylaw amendments not likely for consent are the firearms dealers and groundwater protection districts.

Mr. Martin is in favor of receiving draft warrant articles as they become ready in advance of the next meeting.

Mr. Snyder-Grant suggests a placeholder for the 10-town energy stretch code

and suggests assigning Select Board members to articles to begin public communications. Articles will be assigned to Board members on January 23<sup>rd</sup>.

6. Announce the \$750,000 Allocated in the Federal Budget to “Restore the Historic Asa Parlin House to Provide Event Space to Facilitate Meetings, Library Programing, and Culture Events, to Maintain the Historic Integrity and Visual Impact from Woodbury Lane, and to Restore the Appearance of the Municipal Complex that Also Houses the Town Hall and Memorial Library” and Discuss Next Steps

Mr. Mangiaratti announced the award of \$750,000 for restoration of the Asa Parlin House from Congresswoman Trahan through the Federal Budget. Funding was also allocated from ARPA and Community Preservation funds at Town Meeting. The plan is to remove the larger structure and utilize it for indoor/outdoor meeting space for committees and the public. Mr. Charter encourages moving forward with the current design and to preserve the mature tree on the site. Mr. Snyder-Grant questioned if the Town Manager would want to reallocate the \$300,000 for other projects, Mr. Mangiaratti noted that the ARPA fund was part of the plan for Congresswoman Trahan’s funding request. Mr. Mangiaratti noted that the plan is to now engage with different people before coming back to the SB, the architect has also mentioned that they are ready to come down as well.

7. Discuss the Latest Concept Plans for the New Main Street Campus Park

Mr. Charter reminded the Board that one of the Select Board Goals was to work with the Acton Dog Park Committee and the Acton Housing Authority for the conceptual plans of the Main Street Park. Mr. Mangiaratti brought the agenda item forward to educate the public what is currently planned for the location. Steve Trimble, Recreation Commission Chair – updated the Board about supporting the two parks, and would like to update the Board after the next Recreation Commission meeting.

Tom Gillispie, Dog Park Committee Chair – has a final design from Dennis Dale taking the sewer connection into consideration.

8. Discuss Town Manager Review Process

Mr. Charter is working on a revised annual review document with the Town Manager and the Human Resources Director to simplify the process. Stressing looking forward what goals Board members have for the Town Manager in the coming years versus the goals the Select Board set. Electronic review forms will be emailed on February 27<sup>th</sup> and will work with Marianne Fleckner, Human Resources Director and will allow for review submission until March 13<sup>th</sup> and will have a discussion of the results in late March or early April. This will allow for drafting TM goals before town elections occur.

#### **IV. Consent Items**

**Mr. Snyder-Grant moved, seconded by Mr. Martin to approve consent items 9-16 inclusive and approved unanimously.**

**Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved unanimously. Meeting adjourned at 9:34 PM.**

**Documents Used**

- Agenda, Select Board, January 9, 2023
- Class II Auto Dealer License Application
- Memo from Town Manager Regarding Next Steps for Citizen Library Trustees Dated January 6, 2023
- Congresswoman Lori Trahan Press Release Regarding \$750,000 Allocation for Asa Parlin House
- Draft timeline and article list for the 2023 Annual Town Election and Meeting
- Letter from the Acton Lions Club Dated December 14, 2022
- One Day Alcoholic Beverage License Application, Theater III
- Email from Jim Snyder-Grant Regarding Committee Appointments for Commission on Disabilities Dated December 20, 2022
- Email from Dean Charter Regarding Committee Appointment for Alissa Nicol to the 250 Committee Dated January 3, 2023
- Email from Dean Charter Regarding a Committee Appointment to the 250 Committee for Steve Crosby to the 250 Committee Dated January 3, 2023
- Memo from Chief Robert Hart Requesting to Accept a Donation of a Generator from William Janowski