



## SELECT BOARD MEETING MINUTES

APRIL 12, 2024

8:00 AM

## VIRTUAL MEETING

Present: Jim Snyder-Grant, Fran Arsenault, Dean Charter, David Martin, Alissa Nicol, Town Manager John S. Mangiaratti, and Assistant Town Manager Thom Begin

### **I. Regular Business**

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

None

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

Mr. Snyder-Grant noted the upcoming timeline for Town Elections, Special Town Meeting, and Annual Town Meeting. Discussed how the Commission on Disabilities is figuring out how to manage agendas and minutes after the departure of Franny Osman and noted that they could use another Associate Member. Mr. Mangiaratti is hosting Java with John at the Senior Center today discussing the events surrounding Patriots Day, and announced the town Arbor Day event will be held on April 26th at 9:30 AM at NARA Park in collaboration with multiple town departments. Mr. Charter reported the DPW Building Committee received 5 submittals for Design Engineering firms and will be reviewing the submissions over the next few weeks. The Acton 250 Committee hosted speaker John Bell who discussed the events leading to the Battle at Old North Bridge, and announced that the merchandising site is up and starting to receive some revenue. Ms. Nicol announced that the Acton Exchange launched a new website expanding their offerings to include obituaries and encourages the public to write to the Acton Exchange with letters to the editors. The Health Insurance Trust met in March and announced another large spike in claims in February totaling over \$2 million, discussed some concern with cash flow and requesting the town and school district pre-pay the claims to continue dealing with runoff claims after switching over to MIIA. The slides for the override budget materials are available in binders at the Memorial library, WRAC has dived into research on stormwater utility, following Concord's process towards a town meeting article, and will be inviting the Town Engineer to an upcoming meeting for a question and answer session on the subject.

### **II. New Business**

3. Review Annual Town Meeting Warrant and Assign Select Board Member to Articles and Consider Voting Recommendations

Mr. Snyder-Grant commented on warrant article 1, and the process for Citizens' Library Trustee elections. He also discussed the 4 zoning articles 10-13, and citizen petition article 16. It was noted the collective bargaining warrant articles are not ready and may be a last-minute discussion on recommendations from the Select Board. Ms. Nicol highlighted the citizen's library election during Town Meeting and indicated that the Town Moderator will have the list of candidates, which will appear on the screen at Town Meeting..

Ms. Nicol received advice from the state ethics office not to vote on any item related to the school assessment, article 7, and requested the Board reconsider the previous vote, and revote where she will recuse herself. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault to reconsider the vote on article 7 and approved 4-0 by roll call vote.**

**Mr. Snyder-Grant moved, seconded by Mr. Martin to recommend article 7, the Acton Boxborough Regional School District Assessment and approved 3-1 (Charter) by roll call vote**

**Mr. Snyder-Grant moved, seconded by Mr. Martin to recommend article 10 , Amend Zoning Bylaw – vehicle sales, rental and approved 5-0 by roll call vote**

**Mr. Snyder-Grant moved, seconded by Mr. Martin to recommend article 11, Amend Zoning Bylaw and Map – Assabet River Overlay District & Powder Mill Zoning and approved 5-0 by roll call vote.**

Mr. Martin noted the importance of the zoning article for the Assabet overlay district and working with the Town of Maynard. Mr. Snyder-Grant noted the memo from the Planning Board, who voted on recommending all zoning articles. Ms. Nicol commented on zoning articles noting her conflicts with some language; respects that the Assabet overlay district article is a short term Select Board goal; has heard from constituents to not engage Acton in performative compliance with the MBTA zoning article; supports this sentiment and that legislation's intent is to increase multi-family housing; noted that Acton currently has more multi-family housing than comparative communities. Feels the town could do better regarding outreach with information.

Mr. Martin agrees with providing more outreach, noted that most towns have supported the MBTA zoning district, believes there is a misperception that evictions will occur in current apartments within the MBTA zoning district as plans were made to reduce the risk.

Mr. Charter will be voting in favor, acknowledges the housing shortage in eastern Massachusetts, noting that local businesses experience challenges in hiring

employees locally due to lack of affordable housing, including town and school employees.

Ms. Arsenault agrees with needed additional outreach to the community and will recommend article 12.

Mr. Snyder-Grant appreciates the Planning Division and is taking the requirements of MBTA zoning act as a way to further goals for Acton, which includes both the South Acton zoning and MBTA zoning. Mr. Snyder-Grant addressed the displacement concerns of Dover Heights residents. .

**Mr. Snyder-Grant moved, seconded by Mr. Martin to recommend article 12, Amend Zoning Bylaw and Map – MBTA Overlay District and approved 5-0 by roll call vote.**

Mr. Martin discussed article 13 and how it will help with the proposed districts in the South Acton area.

Ms. Arsenault noted the continuous and impressive efforts of both the Planning Division and the Planning Board. Mr. Snyder-Grant explained the differences between the South Acton Village and MBTA Overlay Districts and a way that will help preserve the historical areas of South Acton. Ms. Nicol supports the overlay district as it brings elements to help protect the South Acton Village district.

**Mr. Snyder-Grant moved, seconded by Mr. Martin to recommend article 13, Amend Zoning Bylaw and Map – South Acton Village Districts and approved 5-0 by roll call vote.**

Mr. Snyder-Grant discussed the citizen petition article referring to the document that notes the differences between gas leaf blower bylaws between the petitioner and the Select Board.

**Mr. Snyder-Grant moved, seconded by Ms. Nicol to recommend article 16 and approved 3-2 by roll call vote (Martin/Charter)**

Mr. Charter noted that he will vote against recommending the article stating that the approach of the timeline implementation is too rapid. Mr. Martin will vote against recommending the article stating concerns with the bylaw language and fines enforcement.

Ms. Arsenault supports the petition and that the fines are punitive. She expressed support for the article and commented that there could have been more collaboration with the petitioner with both versions of the petition, commenting on the public health issues utilizing gas powered leaf blowers, and is concerned that the Board is not addressing the issue in a timely manner. Mr. Snyder-Grant supports the petition and commented that any adjustments needed could be

addressed at a future Town Meeting; Mr. Snyder-Grant will be the contact for the article.

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault to reconsider articles 3,17 and 18 and approved 5-0 by roll call vote. Mr. Snyder-Grant moved, seconded by Mr. Martin to defer articles 3, 17 and 18 and approved 5-0 by roll call vote.**

4. Approve Recommended Plan for the Main Street Sewer Extension Project

Mr. Mangiaratti updated the Board on the updated plan for the sewer extension, indicating that the bids received for the project came in higher than the allotted budget amount. He has talked to local delegation and the Executive Office of Economic Development who have both been supportive of the project, and came to the conclusion that the course of action will be to value engineer the design, rebid the project with a bid closing of late May, and make the decision by the end of the month. Mr. Mangiaratti requested the Board consider reallocating \$175,000 in ARPA funding as a grant match from other sewer related projects in town such as a private system in North Acton and the South Acton Wastewater system.

Tom Gillispe – questioned if the town match came back with a new bid closer to the budget how long would it be for a decision is made to proceed; Mr. Mangiaratti confirmed end of May.

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve plan for next steps for sewer extension project which includes rebidding the project, seeking additional grant funds, and committing approximately \$175,000 from ARPA reallocations as a grant match for MassWorks funding if the amendment requesting additional funding is approved and approved 4-0-1 (Nicol) by roll call vote.**

5. Discuss Letter of Review for 2024-2031 Open Space and Recreation Plan

Ms. Nicol will have a draft letter ready for the Board to review and discuss at the April 29<sup>th</sup> meeting.

**III. Consent Items**

**Mr. Martin moved, seconded by Ms. Nicol to approve consent items 6 and 7 and approved unanimously by roll call vote (5-0)**

**IV. Meeting Evaluation**

Mr. Snyder-Grant appreciates Board members voting to disagree with agenda items and listening to each other.

**Mr. Martin moved, seconded by Ms. Arsenault to adjourn and approved 5-0 by roll call vote. Meeting adjourned at 9:40 AM**