

BOARD OF SELECTMEN AND SEWER COMMISSIONERS MEETING

October 15, 2018

Francis Faulkner Room 204

6:45 PM

To view the video, please [click here for part 1](#) and [click here for part 2](#)

Present: Katie Green, Joan Gardner, Jon Benson, Janet K. Adachi, Town Manager John S. Mangiaratti, Assistant Town Manager Mark Hald, and Recording Secretary Lisa Tomyl

Absent: Peter J. Berry

Executive Session

The chair called the meeting to order and announced that the board would be entering executive session to discuss strategy with respect to consider the purchase, exchange, or lease of real property located at 252-256 Main Street where an open meeting may have a detrimental effect on the negotiating position of the public body. Mr. Benson called role.

Ms. Adachi – aye

Ms. Green – aye

Ms. Gardner – aye

Mr. Benson - aye

Citizen Concerns

Terra – trust for public lands studied the # of acres per capita. Acton is less than Philadelphia as number of acres per person.

Angie Tso – thanks the BOS for preparing the zoning bylaw for the location of retail marijuana shops – requesting for Board to take into consideration a continuation for the current moratorium

Operational Minutes/Chair Report

Katie Green – congratulating ANS homecare elite services – top 25% in the US – LWV hosting candidates forum this room 7-9 pm on Thursday evening – PB has hearing on proposed zoning 'bylaw changes at 7:40 tomorrow night – Wed is deadline to register to vote – Fans of Memorial Library having book sale on Saturday and Sunday.

John S. Mangiaratti – congratulate the Acton Fire Department for their 125 years celebration this past Saturday – early voting starts next week on Monday in Town Hall – received the Housing Choice Grant Award for Sachem Way – congratulations for Acton TV for best news magazine – Special Town Meeting warrant opened and closes today – On the Hill Budget day on Friday – Acton Area Manufacturing group Selby led a tour with Haartz Corporation and AES with students from Minuteman – mentioned the vigil held for a citizen who recently passed due to an incident last week.

Appointments

7:10 PM Public Shade Tree Removal, 146 Prospect Street – Mr. Mangiaratti summarized regarding the recent result under chapter 87 public shade tree hearing on September 13. During the hearing, several residents voiced opposition regarding the removal of 5 trees. Professional arborist reviewed the trees. Due to damage from recent construction, the town is recommending they be removed as they could pose a hazard. Recommends the property owner does a deed restriction to maintain the newly planted trees.

Ms. Adachi questioned about what kind of trees they will be replaced with. Ms. Ristine commented that the final plan will be negotiated upon the final decision of BOS.

Jim Snyder-Grant, Half Moon Hill – questioned about how the amount was calculated. Feels if the shade tree had been evaluated before the construction there wouldn't have the destruction they have now. Also the plan with the driveways should have been considered – thinks there is a flaw in the planning process.

Terra Friedrichs, West Acton – questioned about the cost per inch

Ms. Adachi moves to approve results of mitigation, Ms. Gardner seconds. All Ayes (4-0)

Selectmen Business

Minuteman Regional Technical High School Building Update and Presentation, Pam Nourse – Ms. Nourse gave a brief presentation regarding the ongoing construction of the new high school campus, and the goals of the school system for encouraging future enrollment, and current preliminary FY20 budget priorities. Ms. Green suggested inviting members of the Finance Committee and also opens it up to members of the School Committee for a site tour.

Terra Friedrichs, West Acton – hoping that the heating system is considering to not using fossil fuels.

Kelley's Corner Update – Mr. Mangiaratti gave latest update to the 25% infrastructure improvement plan to the state recently. New sidewalks, new street trees, bike safety, etc. Working with town staff and Kelley's Corner Steering Committee to be responsive to the spirit of the project that the community is asking for and the state's request for cost containment. Steering Committee worked and suggested four points at their 10/9 meeting. Ms. Adachi commented on her preference for concrete on the sidewalks vs. brick due to safety measures. Ms. Gardner would support the recommendations as does Mr. Benson who would support the 4 recommendations, Ms. Green questioned about the hardscapes locations

Terra Friedrichs, West Acton – made some suggestions regarding the overall design and focus on turning lanes

Danny Factor, 11 Davis Road – commented about the overall Kelley's Corner planning and the project being too "carcentric".

Mr. Benson moved to accept recommendations 1-4 in the Kelley's Corner memo to the Town Manager dated October 12, 2018, Ms. Gardner seconds, all ayes (4-0).

Town Environmental Sustainability Policy – Ms. Green summarized the proposed Environmental Sustainability Policy with many comments from Board of Selectmen members, individual citizens, and Town Boards and Committees. Ms. Adachi made several suggestions for the current draft. Ms. Gardner suggested language to be in cooperation with Acton Water District. Mr. Benson was concerned with

certain portions of the policy that could put a burden on the Town Manager and town staff. Ms. Green will work on comments and suggestions from both Board members and those received from the online survey.

Debra Symes, 109 Concord Road – commented on what the point of the policy should be, and the “aspirational aspect” of the policy. Suggested comments for additional language in the policy. Mr. Benson suggested a proper balance between the “aspirational” and the “practical”.

Terra Friedrichs, West Acton – made several suggestions regarding the policy

Danny Factor, 11 Davis Road – appreciates the Board putting together a sustainability policy

Kim Kastens, 294 Pope Road – appreciates the policy and the public to comment on the draft policy and made several suggestions to put into the language of the policy

Ms. Green will take all comments and suggestions to update another draft for review at a future Board of Selectmen meeting. Board members can send edits of the next draft to the Town Manager.

Board to Discuss Appraisal for 252-256 Main Street – Board voted to release the appraisal to the public during the earlier Executive Session prior to open session.

Review of Complaints and Discussion of Board’s Response to OML Complaints Filed by Steven Ballard on October 2, 4, 5, 7 and 10, 2018 Ms. Pickering Cook presented and reviewed recent OML complaints of violations regarding the Board entering Executive Session on 2 separate executive session, and release of open session meeting minutes by more than 30 days. Mr. Benson moves to authorize Ms. Green to finalize the response and send to the Office of the Attorney General, Ms. Gardner seconds, all ayes (4-0).

Board to Discus Gift Distribution Amount for Recreation Department – Ms. Adachi moves to accept gift distribution recommendation from the Recreation Commission, Mr. Benson seconds, all ayes (4-0).

Consent Agenda

Mr. Benson held item 12, Ms. Green held item 13. Ms. Adachi moves to amend minutes from September 17 based on comments from Barry Rosen, Ms. Gardner seconds, all ayes (4-0). Ms. Adachi moves to accept consent items 8-11, 14-19 and 12 for May 21st and October 1st open session meeting minutes, Ms. Gardner seconds, all ayes (4-0).

Ms. Gardner moves to adjourn, Ms. Adachi seconds, all ayes (4-0)

Respectfully submitted,



Lisa Tomyl, Recording Secretary



Jon Benson, Clerk