



## BOARD OF SELECTMEN

Meeting Minutes

Monday, November 18, 2019

7:00 PM

ROOM 204, ACTON TOWN HALL, 472 MAIN STREET

**Present:** Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin, Town Manager  
John S. Mangiaratti, Assistant Town Manager Mark Hald, Recording Secretary Lisa Tomyl

**Absent:** None

### I. Regular Business

#### 1. Citizen Concerns

Terra Friedrichs, West Acton – request to allow public comments during special town meeting regarding the sewer article

Leo Fotchman, 18 Wright Terrace – concerned about incorrect information regarding building up on his property (high density residential dwelling) and sewerage in West Acton. Concerned that misinformation regarding the citizen petition for the special town meeting on December 3<sup>rd</sup> misled registered voters that signed the petition.

#### 2. Chair Update/Town Manager Update

Ms. Gardner- thanks James MacRae and Gail Sawyer for the Veterans Day celebration. Mr. Mangiaratti - plastic bag ban approved last annual town meeting goes into effect January 1<sup>st</sup>. Roland Bartl, Planning Director, awarded 2019 Professional Planner award. Det. Marc Symington awarded traffic safety award. CPC applications listed for town projects. December 2<sup>nd</sup> will be presented applications for the Board to consider. Video on special town meeting and special elections available at Acton TV – <https://www.youtube.com/watch?v=aKXFSCrAws0>

### II. New/Special Business

#### 3. Board to Discuss and Consider Recommending the Articles on the December 10<sup>th</sup> Special Town Meeting Warrant and December 3<sup>rd</sup> Special Town Meeting Warrant

December 3<sup>rd</sup> special town meeting is a non-binding single article for a comprehensive buildout and traffic analysis. Language cannot be changed in the article in regards to changing it to a binding because the petition signatures have been verified by the Town Clerk's office.

Terra Friedrichs, West Acton and petitioner – was under the impression that town staff would draft a memo updating the 1994 analysis and will come to the floor at special town meeting to amend the article to include the funding for the study.

Mr. Charter moves to not recommend article 1, Mr. Martin seconds, the Board voted 5-0, the motion carries.

December 10<sup>th</sup> Special Town Meeting with 3 articles:



Nancy Waters, 662 Mass Ave – spoke regarding the sewer article. Ms. Waters read from a prepared statement comparing the current planned betterment fee with other towns charge. Concerned that the plan is an undue burden to residents in the district.

Terra Friedrichs, West Acton – commented spending time going door to door to low income residents and renters that didn't know about the sewer project, commented that the Gallery (in West Acton) is vacant because of potential sewer going in.

Ruth Thatcher – speaking on behalf of the West Acton Baptist church, they would have to increase rents for the building to connect to the sewers.

Paul Campbell, Town Engineer – just met with the Board of Health and the Board of Health voted unanimously to support the West Acton Sewer project with 2 of the Board of Health members that live within the West Acton district. Board of Health estimated cost for a future septic replacement is between 33-35K. Mr. Berry looking for the financial numbers to be put in the summary. Mr. Martin moves to support Article 3, Mr. Charter seconds, the Board voted 4-0-1 (Benson abstain), the motion carries.

Mr. Benson moves to recommend Article 1, Mr. Martin seconds, the Board voted 4-0-1 (Charter abstains), the motion carries.

Mr. Charter moves to recommend article 2, Mr. Benson seconds, the Board voted 5-0, the motion carries.

4. Approve the Selectmen Message in the Special Town Meeting Warrant(s)

Board approved of the language of the Selectmen message for the December 10<sup>th</sup> Special Town Meeting as written.

5. Discuss the December 17<sup>th</sup> Special Town Election Ballot Questions

Mr. Mangiaratti explained to the public that the 3 questions only 2 of them are directly related to the first 2 warrant articles. Question 3 (Minuteman High School) is completely different than article 3 in the December 10<sup>th</sup> Special Town Meeting warrant.

6. Discuss Permitting Fees for the Proposed Douglas Gates Twin School

School project will have to apply for permitting fees and 3<sup>rd</sup> party inspections, but not negatively impact the building project budget. Both Town Manager and School Super intendant are comfortable where they are in factoring in both costs.

7. Adopt Community Compact Best Practices

Mr. Mangiaratti requested to defer the discussion to a future meeting.

8. Review and Approve Updated Town Clerk Fee Schedule Including Proposed Dog Licensing Fees

Mr. Mangiaratti explained to the Board that the current fee charges are not covering the town staff time processing. Mr. Berry moves to approve the request for fee schedule adjustments for the following effective January 1, 2020:

Birth, Death & Marriage Certificates \$10

Corrections to Vital Records to \$20

Marriage Intentions to \$30



*Business Certificate (both new and renewals) to \$30*

*Vitals to \$10*

*Vital Amendments to \$20*

*Marriage Application to \$30*

*New Business Certificate to \$30*

*Business Certificate to \$30*

*Underground Storage to \$25*

Mr. Martin seconds. The Board voted (5-0) The motion carries.

Clare Siska addressed the Board regarding the request to increase dog fees. Mr. Martin supports the increase in license fees. Mr. Charter asked if there was a way to appropriate this increase especially for Dog Park – Mr. Mangiaratti commented it would be earmarked for the general fund.

9. Board to Designate Response to DHCD 30 Day Letter for Comments on Grandview Acton

Mr. Mangiaratti informed the Board this is a procedural step even after the Chair signed a letter of support when the application was submitted, and could simply resend the letter of support. Mr. Martin suggests adding to the letter to include considering adding charging spaces for electric cars.

10. Discuss Results of the Request for Interest in the Surplus Town Property Located at 3 School Street (Civil Defense Building Site) and Consider Next Steps

Will move forward with an RFP – will need to check video

11. Discuss FUTURES Act “An Act to promote a clean energy future (Senate, No. 2302)

Judith Aronstein, Mothers Out Front briefed the Board of the FUTURES Act and what it means to utility companies can do moving forward. David Woll, attorney for Mothers Out Front presented to the Board regarding natural gas and the effects of natural gas and alternatives on the use of natural gas. Mr. Berry and Mr. Martin want to wait to hear from the Green Advisory Board on their recommendations before making any vote.

12. 2020 License Renewals

Ms. Gardner moves to approve the licenses to expose, keep for sale, and to sell all kinds of alcoholic beverages to be drunk on premises, Mr. Martin seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve retail package goods store licenses to expose, keep for sale, and to sell all kinds of alcoholic beverages, not to be drunk on premises, Mr. Berry seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve the retail package goods store licenses to expose, keep for sale, and to sell wines and malt beverages not to be drunk on premises, Mr. Martin seconds. The Board voted 5-0, the motion carries.



Ms. Gardner moves to approve common victualler licences to expose, keep for sale, and to sell wines and malt beverages to be drunk on premises, Mr. Benson seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve class II used car licenses, Mr. Benson seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve the class I new car licenses, Mr. Benson seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve the entertainment licenses, Mr. Martin seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve the bowling alley and billiard table license, Mr. Martin seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve the 24 hour operating permit, Mr. Benson seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve automated amusement device licenses, Mr. Berry seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve taxi cab and operator license, Mr. Berry seconds. The Board voted 5-0, the motion carries.

Ms. Gardner moves to approve a license to tell fortunes, Mr. Berry seconds, the Board voted 5-0, the motion carries.

Ms. Gardner moves to approve common victualler licenses, Mr. Benson seconds, the Board voted 5-0, the motion carries.

### **III. Consent Items**

Mr. Benson moves to approve consent items 13-19, Mr. Martin seconds, the Board voted 5-0, the motion carries

Mr. Martin moves to adjourn, Mr. Charter seconds, meeting adjourned at 9:45 PM

### **Documents and Exhibits Used During this Meeting**

- December 10<sup>th</sup> and December 3<sup>rd</sup> Special Town Meeting Draft Warrants
- Draft Special Town Election Ballot
- Proposed Town Clerk Fee Schedule and Proposed Dog Licensing Fees
- LIP Application, Grandview Acton
- 3 School Street Memo
- FUTURES Act
- 2020 License Renewals
- Meeting Minutes
- Committee Appointment, Ryanne Flynn
- Committee Appointment, Elizabeth Osche
- Easement Agreement, New View Condominium
- Accept Gift, Veterans' Services
- Accept Gift, Natural Resources