



## BOARD OF SELECTMEN

Meeting Minutes

Monday, February 3, 2020

6:15 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, Recording Secretary Lisa Tomyl

**Absent:** None

Chair Gardner opened the meeting at 6:15 PM with a motion to enter into executive session to discuss strategy with respect to collective bargaining with the Fire Union in the matter pending: *IAFF Local 1904 and the Town of Acton JLM-19-7677* under Purpose 3, as an open meeting may have a detrimental effect on the negotiating position of the Town

Mr. Charter called roll:

Mr. Martin – aye

Mr. Berry– aye

Ms. Gardner – aye

Mr. Benson– aye

Mr. Charter - aye

### I. Regular Business

#### 1. Citizen Concerns

Matthew Post, 3 Ethan Allen Drive – discuss concerns regard the potential site for the Town Dog Park at 365 Main Street on the future AHA housing project and is against it as a direct abutter and presented to the Board a written list of concerns.

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

Mr. Mangiaratti – Check out municipal monthly on town website; introducing new employees and recognize volunteers;

Ms. Gardner – upcoming elections and voter registrations Feb. 12. Last day to register for Presidential is March 3<sup>rd</sup> and state, early voting in Town Hall on February 24-28 from 8A-8P Mon – Wed

Mr. Benson – league of Women Voters is having civics bee in March 7th and looking for members of Boards and Committees as team co-captains and contact Sahana Purohitif interested.

### II. New/Special Business

#### 3. 7:10 PM Change of Manager, Not Your Average Joe's

Ms. Gardner read the public hearing notice. Representing Not Your Average Joe's for Change in Manager is Bryan Garden, applicant for Manager. Mr. Berry move to approve change of Manager at NYAJ at 305 Main Street from Jose Pena to Bryan Gardner, Mr. Benson seconds, Board voted 5-0. Motion carries.



4. Discuss Installation of New Utility Pole in Town Hall Parking Lot for EV Charging Station

Mr. Mangiaratti explained to the Board that the petition to install a new utility pole to serve the purpose of providing electricity to a new charging station in the rear of the municipal lot. Corey York applied for a grant for a new charging station and Eversource will be installing the pole at no cost to the town. Will be set up as a charge point system so that the public can utilize the charging stations as well.

Mr. Martin moves the Board of Selectmen approve the public access charging station Mr. Charter seconds. The Board voted 5-0.. The motion carries.

5. Discussion Regarding Offering a Parking Lot Discount for Military and Federal Officers

Town received an email asking if the town offers a discount for military at the town commuter lots, and currently does not.

Mr. Charter's son and daughter in law are both active military for 20 years and supports in working out something for active duty military personnel. Mr. Berry suggested bringing the inquiry to SATSAC.

6. Announce MassDOT Project Eligibility Notice, Route 2 Eastbound Ramps at Route 27

Mr. Mangiaratti announced that the project has been awarded for signaling for Rt 2 Eastbound and 27 ramps. We sign the agreement for the 10% design and will begin the design for it.

Jim Snyder-Grant, Half Moon Hill – hope MassDOT will consider improving the pedestrian and bike lanes in the design

Matthew Post, Ethan Allen Drive – concerned about the adding of traffic lights since it is a parking lot during rush hours

Terra Friedrichs, West Acton – concerned of people rushing through the lights

7. Discuss Timeline for Annual Town Meeting

Mr. Mangiaratti updated the Board with a timeline spreadsheet leading up to Annual Town Meeting on April 6<sup>th</sup> and will be posting the warrant on March 17<sup>th</sup>, and would like to bring the articles to the Finance Committee before finalizing the articles for the warrant. Mr. Berry requesting to have a placeholder through the Board of Health.

8. Update from Community Conversation Held on January 30, 2020

Mr. Mangiaratti brought the Board up to speed regarding a meeting that occurred on January 30<sup>th</sup> regarding an incident involving Acton Police, a parent, a minor student where there was a complaint of race involved in the subsequent arrest of a parent due to disorderly conduct. Nina Pickering-Cook, Town Counsel presented to the Board that the town will be hiring an independent counsel for an independent investigation and recommends the town hire an independent counsel, and requested the Board list qualities that the Board is looking for. NPC listed 4 bullets of guidelines of the target of the investigation.

Ms. Pickering Cook explained the process of the independent investigation.



Mr. Benson stressed that there should be an outside investigator and investigation rather than hiring an attorney from current town counsel. Mr. Benson read from a prepared statement of the facts of the event that occurred on January 9, 2020 proposed Mr. Berry, Mr. Mangiaratti and Ms. Pickering-Cook interview prospective investigators and come back in a week to interview at a special meeting, fee arraignments and timeliness of the report. Mr. Berry agrees to work with Ms. Pickering –Cook and agrees with Mr. Benson’s comments and recommendations. Commends the Acton Police Department. Ms. Pickering Cook believes there are at least 2 candidates that qualify the Boards wishes within the next 24 hours and will make a recommendation later this week and have a special meeting to discuss this. Mr. Berry suggested that civil rights and racial justice experience is recommended.

### **III. Sewer Commissioner Business**

Mr. Berry moves to open this session as sewer commissioners

#### **9. Discuss Updates to Sewer Privilege Fee**

Mr. Martin explained the fee set 20 years ago is insufficient and one-third of what it would be for a fair share for one to pay. Propose to raise the fee to 30K (to be admitted to the sewer district). Present fee is 12K. Privilege fee is paid up front. It’s a 30 year payoff to connect to the sewer. Mr. Charter supports the increase on fee. Mr. Martin moves to increase the sewer privilege fee to \$30,000, Mr. Benson seconds. The Board voted 5-0, the motion carries.

### **III. Consent Items**

Mr. Benson moves to approve consent items 10-16, Mr. Martin seconds. The Board voted 5-0. The motion carries.

Mr. Martin moves to adjourn, Mr. Benson seconds. The Board voted 5-0, the motion carries. Meeting adjourned at 8:03PM.

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

- Change in Manager Application
- New Utility Pole Documents
- Email from Josh Vogan Regarding Discounts for Town Commuter Parking Lots
- Letter from MassDOT Project Eligibility Notice
- Annual Town Meeting timeline Document
- Memo from Recreation Department to Accept a Gift for \$2000 from the Acton-Boxborough Family Network
- Memo from Recreation Department to Accept a gift for \$1500 from Insulet Corporation
- Memo from Recreation Department to Accept Gift of \$3000 from Worker’s Credit Union
- Memo from Veterans’ Services to Accept Gift of \$1000 from Orion Industries
- Memo from Veterans’ Services for \$200 from Anonymous
- Email from Acton Garden Club for Use of 486 Main Street for Annual Plant Sale
- Written Statement from Matthew Post