



## BOARD OF SELECTMEN

Meeting Minutes

Monday, July 1, 2019

6:30 PM

ROOM 204, ACTON TOWN HALL, 472 MAIN STREET

**Present:** Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin

**Absent:** None

### I. Executive Session

Ms. Gardner opened the meeting at 6:30 PM with a motion to enter into executive session to discuss (i) to discuss strategy with respect to litigation concerning a potential interlocutory appeal in ZBA #19-07 (the School Street/Piper Lane Comprehensive Permit proceeding) to the Housing Appeals Committee by the Town of DHCD's June 21, 2019 'Safe Harbor' Decision, and (ii) to consider the purchase, exchange, lease or value of real property located at 90 School Street and 4-6 Piper Lane, Acton."

Mr. Benson moved, Mr. Charter seconds.

Mr. Charter called roll:

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Benson – aye

Mr. Charter – aye

Mr. Benson moved to exit executive session, Mr. Martin seconds

Mr. Charter called roll:

Mr. Martin – aye

Mr. Berry – aye

Ms. Gardner – aye

Mr. Benson – aye

Mr. Charter – aye

Board reconvened in open session at 7:15 PM

### II. Regular Business

#### 1. Citizen Concerns

Terra Freidrichs, West Acton – commented on what is being done regarding the development in town and keeping the rural character and town staff approving applications and permits.

Michaela Moran, School Street – read from a prepared letter regarding the proposed Piper Lane 40B Project written by Alissa Nicol.



2. Chair Update/Town Manager Update

Mr. Mangiaratti – Town Meeting in April authorized the town to acquire 19-21 Maple Street – the town owns the property as of today.

**II. New/Special Business**

3. Discuss Policy on Board Communication with Residents

Mr. Benson spoke about this goal set back in May it was designed to cover emails sent from citizens to the Board and citizen participation during the Board of Selectmen meetings. Town Counsel recommended that only the chair respond to email inquiries and not to include the entire board in the response as it could be seen as a deliberation. Mr. Martin commented that he would like to see the whole board copied but where Town Counsel recommended not replying all. Mr. Charter agrees for entire Board of any communication that the chair or vice chair makes. Don't reply all but be aware of the initial communication. Important that the communication does not get dropped. Mr. Martin suggested the Mr. Benson contact Town Counsel to request the best approach. Mr. Mangiaratti said the best approach is to have Mr. Benson respond (to email inquiries) on behalf of the Board. Mr. Mangiaratti feels more comfortable delegating the response to the inquiry, or continues to discuss with Town Counsel. Mr. Berry suggests coming up with a policy. Mr. Martin recommends having the Town Manager talk to Town Counsel.

Response to citizen concerns or comments – they could be referred to Town Manager, or a Board member familiar with the situation that could respond to the resident. Board to bring it back for further discussion at a future meeting.

4. Town Meeting Improvement Committee Charge

Ms. Gardner read aloud the proposed charge. Mr. Charter moves to adopt the Town Meeting Improvement Committee Charge, Mr. Martin seconds – Mr. Benson commented on the charge came about due to Article 38 from April Town Meeting running late. Mr. Berry unsure about town staff being members. The Board voted 5-0. The motion carries.

5. Discuss Recent Open Meeting Law Complaints and Delegate Responses

Board received 2 complaints one on a meeting that took place on May 20<sup>th</sup> – minutes didn't reflect what happened at the meeting from April 22<sup>nd</sup> and 26<sup>th</sup>. Town Manager believes the minutes are meeting requirements. Mr. Charter reviewed the minutes and felt it accurately reflected what went on. It does not require a transcription. Request response to be delegated to Town Manager, Mr. Benson seconds. The Board voted 5-0. The motion carries. Second violation was June 17<sup>th</sup> regarding the timely submission of minutes. Mr. Benson stated that the Board must acknowledge that they were in violation and delegate a response to Town Manager, Mr. Charter seconds. The Board voted 5-0. The motion carries.

6. Create and Appoint a Special Town Forest Committee Pursuant Under G. L. c. 45, s. 21

Mr. Mangiaratti explained the reason for this request. AWD is looking to install a water line on Town Forest property. Looking to appoint a Town Forest Committee. Board can appoint a special committee of 3 people. Mr. Berry suggests designated the Conservation



Commission. Audience member encourages involving the Conservation Commission, concerns about the water for the use of Insulet, concerns about construction within the Town Forest. Mr. Charter mentioned about the project has been looked at for over 20 years to connect the end of Nagog Park. Member of the audience approves the use of the Conservation Commission as Town Forest Committee responsibilities.

Mr. Berry moves pursuant to G.L. c. 45, s. 21 for the Board of Selectmen designate the Conservation Commission to serve as the Special Town Forest Committee. Mr. Charter seconds. The Board votes 5-0. The motion carries.

**7. Update on North Acton Fire Station**

Town Manager updated the board on the plans for the project. Looking at the last week of July for a public meeting. 11,000 sq. ft. single story layout. Parking for staff will be behind an existing structure with public parking out front. All documents are on the town website at [www.actonma.gov/firestation](http://www.actonma.gov/firestation)

**8. Discussion on South Acton Train Station Advisory Committee Recommendations Regarding the Parking Program**

Mr. Martin briefed the Board of SATSAC recommendations. Consultant's recommendation is to encourage people to park remotely. Cheaper for residents to park at the station than park remotely. Increase in rates for reserve parking paid for the recent parcel acquired at 19-21 Maple Street. SATSAC encouraging remote parking. Mr. Charter moves to accept recommendation with an amendment to the reserved parking spots to reduce parking cost by 20% for Acton residents and raise cost for non-residents, for daily parking at &6, Jones Field at \$120, and Maple Street at \$180 (Acton residents would be 20% less). Will be bringing the conversation back on the July 15<sup>th</sup> meeting. Mr. Charter withdraws his motion.

**III. Consent Items**

Mr. Benson moves to approve consent items 9-22, 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 8:40 PM.

**Documents and Exhibits Used During this Meeting**

- Town Meeting Improvement Committee Charge
- OML Complaints
- Email for Requesting a Special Town Forest Committee and G.L. c. 45, s. 21
- Email from Michaela Moran Regarding the Recommendations of the South Acton Train Station Parking and Presentation from Nelson/Nygaard
- Farmers Market Winery License Application
- 2020 Selectmen Meeting Dates
- Memo from Planning Division Accepting Sidewalk Contribution
- Memo from Recreation Department to Accept a Gift from SoVital Fitness Studios



- Memo from Recreation Division to Accept a Gift from Life Care Center of Acton
- One Day Alcoholic Beverage License Application, Old Gold Rugby
- One Day Alcoholic Beverage License Application, Metro West Chamber of Commerce
- One Day Alcoholic Beverage License Application, Crystal Massuda
- One Day Alcoholic Beverage License Application, Ellen Halland
- Memo from Building Department, Refund Request
- Memo from Acton Memorial Library , Disposal of Obsolete Items
- Memo for a Donation of Surplus Council on Aging Van from Town of Carlisle
- Memo from Council on Aging to Accept a Gift from Chunxia Fan for Building Furnishings