



## SELECT BOARD

Meeting Minutes

Monday, June 14, 2021

7:00 PM

Virtual Meeting

**Present:** Jon Benson, Dean Charter, David Martin, Joan Gardner, Jim Snyder-Grant, and Town Manager John S. Mangiaratti

**Absent:** None

Mr. Benson called the meeting to order at 7:00 PM. It was a virtual meeting with no Board members in physical attendance and it was broadcast via Zoom.us virtual meeting platform.

### I. New/Special Business

#### 1. Board to Approve Committee Reappointments

Mr. Snyder-Grant requested to add Ron Beck, Water Resources Advisory Committee for a term of three years.

**Mr. Snyder-Grant moved to approve the Committee Reappointments with the amendment to remove the duplicate appointment for Sandra Hinds and approve Ron Beck as a full member of the WRAC for a term to expire June 30, 2024, seconded by Mr. Martin and approved unanimously by roll: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin)**

#### 2. Constable Appointments for a Term of 3 Years, John Scichilone, Denzel White, Joseph Topol, Dave Allen, Mark Hald, and Brian McMullen

Mr. Mark Hald explained that Constables serve notices of judicial process from the Court, as well as serving local notices such as town meetings and elections. **Ms.**

**Gardner moved to approve to appoint as constables for three years, seconded by Mr. Martin and approved unanimously by roll: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin)**

#### 3. Discussion of Status of Subsidized Housing Inventory

The Board discussed the delays caused by the pandemic at the Apartments at Powdermill project. The Town stands to lose its Safe Harbor status by August 9, 2021 due to the delay in obtaining building permits within one year of the Zoning Board of Appeals decision to issue the Comprehensive Permit on August 9, 2020. The Board agreed to have the Town Manager write a letter to the Department of Housing and Community Development to request a one year extension due to the project delays, and express concern with the loss of the Town's Safe Harbor status.

The Board took public comment with concerns that many affordable housing units are not "affordable", comments to urge the town to acquire the Kmart parcel to bring



revenue into the town, and work with Acton Community Housing Corporation to achieve more affordable housing.

**Mr. Snyder-Grant moved to have the Town Manager communicate with DHCD to seek an extension of Safe Harbor status based on COVID-related delays, seconded by Ms. Gardner and voted unanimously by roll: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin)**

The Town Manager will draft a letter to DHCD.

4. **Discuss Open Meeting Law Complaints, June 9 and 10, 2021 and Delegate Response**  
The Board discussed the recent four additional Open Meeting Law complaints from Steven Ballard of three complaints of improper review and delegation of a response, and one regarding the Chair's updates emailed to Boards and committees. After review, there was consensus that no violations occurred and no further actions are required on the three complaints. Mr. Ballard requested to withdraw the fourth complaint based on a decision from the Office of the Attorney General received today.

**Ms. Gardner moved to request Town Counsel and Town Manager to respond to Mr. Ballard's three Open Meeting Law complaints received on June 9 and 10, 2021 by informing him and the Attorney General's office the Board reviewed the complaints and does not believe any violations occurred, seconded by Mr. Charter and voted unanimously by roll: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin)**

5. **Discuss Transition to In-Person Meetings**  
The Commonwealth's State of Emergency ends on June 15, 2021 at 12:01 AM, and along with it, allowances for virtual meetings and remote participation. Pending further legislation to extend those provisions, all Town board and committee meetings will need to be in-person. The Board took questions from the public to clarify the Open Meeting Law and remote participation allowing for board and committee members when a quorum is present and not for the public, and would support continuing allowing for remote public participation.

6. **Discuss Annual Town Meeting**  
Mr. Benson praised Assistant Town Manager Mark Hald regarding the production of the Town Meeting warrant and amount of information available. Board members will respond to article questions to which they are assigned should questions arise. Mr. Mangiaratti thanked the Board for the article presentations filmed at Acton TV. All the presentations are available to view on the ActonTV YouTube page and on the Town website at [actonma.gov/townmeeting](http://actonma.gov/townmeeting).  
Mr. Snyder-Grant read a response to the Board members to be sure it was an appropriate response for articles 18 and 19.



## II. Consent Items

**Ms. Gardner moved to approve consent items 7-10, seconded by Mr. Martin and voted unanimously by roll: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin)**

**Ms. Gardner moved to adjourn seconded by Mr. Charter and voted unanimously by roll: (Ayes: Mr. Snyder-Grant, Ms. Gardner, Mr. Charter, Mr. Benson, Mr. Martin) Meeting adjourned at 8:24 PM.**

## Documents and Exhibits Used During this Meeting

- Agenda, June 14, 2021
- Committee Reappointment List
- Open Meeting Law Complaints, June 9 and 10, 2021
- One Day Alcoholic Beverage License Application, Kelly Tierney
- One Day Alcoholic Beverage License Application, Samantha Ngo
- Accept Gift Memo, Recreation Department Dated June 2, 2021
- Accept Gift Memo, Recreation Department Dated June 4, 2021