



## SELECT BOARD AND SEWER COMMISSIONERS

### Meeting Minutes

Monday, December 20, 2021

7:00 PM

Town Hall Room 204 with In-Person and Virtual Public Participation

**Present:** David Martin, Dean Charter, Jim Snyder-Grant, Fran Arsenault, Himaja Nagireddy, Town Manager John S. Mangiaratti

**Absent:** None

Mr. Martin called the meeting to order at 7:00 PM.

### I. Regular Business

#### 1. Resident Concerns

Bob Van Meter, 2 Half Moon Hill – supports a full-time tenant advocate position and read a prepared statement that is included in the Extra Information folder; suggests the use of ARPA funds for rental assistance.

Terra, West Acton – favors the use of ARPA funds and a full-time tenant advocate position; concerned that the Town Manager's FY23 budget focuses on housing development and not concerned with rehabbing existing housing.

Peter Berry, Faulkner Hill Road – supports funding for a tenant advocate position and for upgrades to tenant residences to support more energy efficiency

Margaret Miley, Maple Street – supports a tenant advocacy position, encourages the town to have a mask mandate due to the increase in the COVID-19 Omicron and have a town wide communication system in place

Franny Osman, Half Moon Hill – supports the tenant advocacy position through the Acton Committee on Housing and Climate Action

Christopher Lopez, Central Street – supports a tenant advocacy position in town; is concerned renters not knowing how to navigate leases

Leslie Johnson, lives in an older apartment complex and experienced problems due to age of buildings; concerned about rents increasing

Stella Ko, Guswood Road - supports the tenant advocate position

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

Mr. Martin announced that the Mt. Calvary Community Supper delivered 15,000 meals in twenty months since the start of the pandemic.

Mr. Mangiaratti stated that he and the internal COVID working group continue to track the pandemic closely and are currently at 60 active cases. The Board of Health is meeting tomorrow night to discuss a mask policy for the community and will support what their decision will be. The budget was presented at the last meeting of the Select Board and is now available on the Town Manager website page at [actonma.gov/manager](http://actonma.gov/manager). There will be a budget workshop with the Finance Committee on January 20<sup>th</sup> at 5:00 PM. The Faulkner Hearing Room (204) will be out of



commission from January 11-19th for electronic upgrades. The new Economic Development Director, Julie Pierce Onos, started last Monday and will be at the first meeting in January to introduce herself

Mr. Snyder-Grant reported on a meeting between Leo Fochtman, Select Board member Himaja Nagireddy, and himself reviewing previous Select Board meetings where Ms. Nagireddy noted at the end of one Board meeting that there had been some harmful comments made, and a subsequent meeting where Mr. Fochtman asked what they were. The three of them had a productive and helpful conversation. Going forward, Mr. Snyder-Grant reminds the Board members of the Visitor Code of Conduct and the potential use of Roberts Rules “Point of Order” if such a need arises. Ms. Nagireddy noted regarding the support for a tenant advocate position and have heard from several members of the community and wanted to know how to move forward with the position, and looking for guidance on how to move forward funding the position, and looking forward for having the topic discussed at a future meeting.

## **II. Public Hearings**

### **3. 7:10 PM Natural Gas Petitions (continued from November 15, 2021)**

Mr. Martin read the public hearing notice at 7:25 PM. Representing National Grid is Mary Mulroney. The applicant for Quarry Road at Mirasol Circle has withdrawn their application. The applicant for the gas main petition for Martin Street at Liberty Street continued their request for a gas main connection. Mr. Snyder-Grant updated the Board via communications with the Boston Area Gleaners Executive Director regarding their request to use the greenhouses which currently use propane which is not cost efficient for the colder months. This communication is in the Extra Information folder. The Boston Area Gleaners is requesting to continue their request to attach to natural gas as because it will take some time to study and decide on alternatives. They would like to find a way to move away from natural gas. They are embarking on the creation of a five year plan for future heating options.

Terra, West Acton – request to stop calling it natural gas and consider it a climate emergency and vote no to the installation petition.

Debra Simes, Concord Road, had a question if the house on the property is heated by oil or natural gas, suggest continuing the hearing again to come up with alternative heating sources

Judith Aronstein, Gregory Lane – encourages the Board to say no to new installations.

Adam Nolde, South Acton - questioned who bears the cost to the hookup and what is the cost; Ms. Mulroney clarified that the contractor or owner bears the cost, and does not know what the cost is.

Fran Cummings, Martin Street – had conversation with the operations manager of the farm who seemed able and willing to talk knowledgeably about electrification and how to get there for the Farm. Mr Cummings hoped the town could find funding for alternative measures of supplying renewable energy, because using natural gas harms the climate



**Mr. Charter moved to close the hearing, seconded by Ms. Arsenault and voted unanimously 5-0.**

Mr. Snyder-Grant noted that the Town has a moratorium on non-emergency digging in the streets at this time of year, and so no digging will happen on Liberty Street until Spring. Mr. Snyder-Grant also noted that the reason the Mirasol Circle application was withdrawn was that the developers wanted to complete their houses this winter, and so decided to use propane instead of gas as a heating source.

**Mr. Charter moved, seconded by Mr. Snyder-Grant to approve the natural gas petition to service the Boston Area Gleaners from Liberty Street to Martin Street and voted 4-0 (Mr. Snyder-Grant abstained).**

**4. 7:15 PM Pole Relocation Petition, Eversource, High Street**

Mr. Martin read the public hearing notice at 7:50 PM. DPW Director Corey York updated the Board regarding granting the easements to complete the sidewalk on High Street. An owner that an easement was needed from, offered to sign the easement if two utility poles were relocated across High Street. If the Board approves the pole relocation, Mr York will reach out to the resident with the grant of easement again. **Mr. Charter moved, seconded by Mr. Snyder-Grant to close the public hearing and was voted unanimously 5-0. Mr. Charter moved, seconded by Ms. Arsenault to approve the pole relocation petition and was voted unanimously 5-0.**

**III. New/Special Business**

**5. MAPC and Sustainability Presentation of Climate Action Plan Blueprint Goals and Strategies**

Sustainability Director Andrea Becerra and MAPC (Metropolitan Area Planning Council) representatives Julie Curti and Van Du presented the summary of the Acton Climate Action Blueprint including an extensive set of strategies meant to target lowering net greenhouse gas emissions to zero by 2030. These were developed with extensive public input, and technical review by the MAPC. Next steps were reviewed, including a phase 2, scheduled for this Spring, where each strategy will be looked at to measure both cost and greenhouse gas reduction potential, to verify that the plan could meet the goal; to look at a variety of possible funding mechanisms; and to recommend some of the strategies as immediate priorities. Ms. Becerra also reported on parallel work with the School District to plan for the transition of all Town and School buildings away from fossil fuels.

Members of the Board were appreciative of the Climate Action Plan Blueprint report. Mr. Snyder-Grant noted that the equity goals of the Climate Action Plan (CAP) will mean that any work to retrofit existing multifamily housing will need to find a way to avoid having these improved buildings create a gentrification situation where existing renters are forced out by rising rents. One part of the answer may be the rehab housing trust proposed by one of the Select Board's goals, which would take units off of the open market. A concern was raised by Mr. Snyder-Grant about the strategy that began "affordable housing and mixed-use development within ½ mile of public



transit..". While he agreed with the goal, he didn't think that it belonged in an emissions reduction plan, because any new housing, even if desirable for other reasons, would cause a net increase in emissions. Mr Snyder-Grant also appreciated the references to resilience in the draft Blueprint, 'resilience' being used here to stand for the various ways Acton needs to prepare for the effects of climate change. He noted that other plans that the Town is responsible for will need to be looked at with resilience in mind, in particular the Open Space and Recreation Plan, and our plans for economic development, where a particular focus is called for in encouraging local replacements for supplies that may be disrupted by climate change.

Mr. Charter commented on the goals regarding tree cover. Aggressively replacing trees in a tree-dense town like Acton would be a difficult goal to achieve; concerned about the goal to invest in a municipal nursery and lack of open space and that trees would have to be cut down to provide a nursery for trees seems contradictory; a Select Board goal was to increase the tree warden staff and would increase taxes, and that the Board needs to have a practical approach for the goals listed.

Ms. Nagireddy questioned the first two action items in the plan potentially increasing new building and being counter-intuitive to a Climate Action Plan and would like to see prioritizing on rehabbing current buildings.

Ms. Arsenault commented on the two goals about increasing affordable housing and questioned about current housing stock within half a mile of the train station.

Mr. Martin questioned how the action items were decided to be included in the Blueprint, Ms. Becerra stated that approximately 85% of the action items were derived from community input.

Charlie Kadlec, Paul Revere Road – concerned the emphasis what can do is good, very little attention of possible negative aspects, such as converting natural gas to heat pumps involving chemicals that can harm the environment.

Kim Kastens, Pope Road – appreciates the attention to the road map specifically towards resiliency

Alissa Nicol, School Street - would like to see less large development and noted the number of multi-family housing in close proximity to the South Acton Train Station and to focus on rehabbing older existing.

Terra, West Acton – feels the plan includes increasing greenhouse gasses and would rather encourage stopping the growth of (residential) developments.

Karen Watkins, Strawberry Hill Road – looking forward to phase 2, how to finance it, noting making the transition and investment for the future.

Fran Cummings, Martin Street – recommended the Select Board have a placeholder in the FY23 budget to be able to start the work of the Climate Action Plan

Ms. Becerra responded to the several comments made by Select Board members and members of the public.

Mr. Manager requests that the Board consider moving forward to the next phase of the Blueprint.

**Ms. Arsenault moved to support the town moving to phase 2 while continuing to take into consideration ongoing input of the community and the Board, seconded by Mr. Snyder-Grant and voted unanimously 5-0.**



**6. Discuss Policy Encouraging Building With Clean Energy Technology**

Mr. Snyder-Grant presented a policy that would encourage building with Clean Energy technology and that a warrant article was passed at Town Meeting to encourage the Building Division to encourage developers to consider utilizing a more clean energy approach. It would direct the Town Manager to work with town staff and various Boards and Committees are informed early in the process in the initial review of project developments in their application process early enough to consider using alternative means of energy supply instead of fossil fuels. Mr. Charter is concerned how the policy would be implemented if approved by the Board, and would like assurance it would be a cooperative effort between town staff, Boards and Committees, developers, construction companies and businesses. Ms. Nagireddy commented on strengthening the language to include asking developers why they are choosing fossil fuels over cleaner energy.

Mr. Martin explained that this document is a policy and can only direct town staff. Dan Malloy, member of Economic Development Committee – reviewed the draft policy on December 2<sup>nd</sup>, and stated on behalf of the EDC that they strongly oppose the Select Board approving a policy that would subject contractors and developers to scrutiny around energy use decisions

Karen Watkins, Strawberry Hill Road – supports the policy

Terra, West Acton – supports the policy

Judith Aronstein – feels it helps the Board when approached by National Grid for gas main petition and offering developers an alternative they may not know about

Alissa Nicol, School Street – reminded that the town voted a Climate Emergency and also not allowing fossil fuels for new developments

Mr. Snyder-Grant recommends waiting to discuss the policy at a future meeting because of the lateness of hour, and because waiting two weeks will not defeat the purpose of the policy. The Board generally agreed to have a discussion at a future meeting.

**7. Presentation from Water Resource Advisory Committee Regarding Water Study**

Ron Beck and Ron Parenti presented the proposed water study. Mr. Parenti gave an overview of the WRAC members, and the responsibilities of the Acton Water District and its association with the Water Resources Advisory Committee.

Mr. Martin noted his concern about that the study did not address PFAS issues, which are at the heart of resident concerns about Acton's water. He was also explained that he thought there was a disconnect between the study slides focus on the quantity of available water, and the fact that each rainfall in Acton drops way more than the amount of water supply treated as a limit in the study slides.

Terra, West Acton – supports the presentation and that the amount funding should be increased to \$400,000 so that a complete town-wide study could be completed, and not just the proposed portion focused on Great Road.



**Mr. Snyder-Grant moved to approve the use of forty-thousand of previously allocated money to fund the water study focusing on Great Road, and seconded by Ms. Nagireddy. The Board voted 4-1 (Martin)**

8. Approve Revised Charge, Diversity, Equity and Inclusion Commission

Mr. Charter requested that there should be language added regarding collaborating with the Acton-Boxborough Regional School District due to past incidents revolving around the school district.

Charlie Kadlec, Paul Revere Road – mentioned there was no explanation on how the DEIC came to their conclusion in their report.

Stella Ko, Guswood Road – appreciates the proposed charge including different parts of town and the school

Terra, West Acton – appreciates the work on the charge

Linda Vieira, Nagog Woods – encourages the Board to vote yes and appreciates adding the school district

**Mr. Snyder-Grant moved, seconded by Ms. Nagireddy to approve the charge as drafted with the additions under duties collaborating with the Acton-Boxborough Regional School District to address incidents and voted unanimously 5-0.**

9. Approve Temporary License Agreement, Boston Area Gleaners

Mr. Mangiaratti explained that this is a temporary license for the BAG to farm the land by the conservation area on the Caouette land that has a conservation restriction. The intent is that this will be replaced by a longer-term agreement to be on the Town Meeting warrant.

**Mr. Charter moved, seconded by Ms. Nagireddy and voted unanimously 5-0.**

10. Accept Grant of Easement, 282 Main Street

This is the last easement associated with the Kelley's corner project

**Mr. Charter moved, seconded by Mr. Snyder-Grant and voted unanimously 5-0.**

11. Board to Vote on 2022 License Renewals

**Mr. Charter moved, seconded by Mr. Snyder-Grant to approve the license to expose, keep for sale, and to sell all kinds of alcoholic beverages to be drunk on premises as listed in the renewal master list (Section 12) and approved unanimously 5-0.**

**Mr. Charter moved, seconded by Mr. Snyder-Grant to approve retail package good stores license to expose, keep for sale, and to sell all kinds of alcoholic beverages, not to be drunk on premise as listed in the master renewal list (section 15) and approved unanimously 5-0.**

**Mr. Charter moved, seconded by Ms. Arsenault to approve the retail package goods store license to expose, keep for sale and to sell wines and malt beverages, not to be drunk on premise as listed in the master renewal list (section 15) and approved unanimously 5-0.**



**Mr. Charter moved, seconded by Ms. Arsenault to approve the common victualler license to expose, keep for sale, and to sell wines and malt beverage to be drunk on premise as listed in the master renewal list (section 12) and approved unanimously 5-0.**

**Mr. Charter moved, seconded by Ms. Nagireddy to approve the Class II used car dealer licenses as listed in the master renewal list and approved unanimously 5-0.**

**Mr. Charter moved, seconded by Ms. Arsenault to approve the class I new car dealer licenses as listed in the master renewal list and approved unanimously 5-0.**

**Mr. Charter moved, seconded by Ms. Nagireddy to approve renewal of bowling alley and billiard table licenses as listed in the master renewal list and approved unanimously 5-0.**

**Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve the 24 hour operating permit as listed in the master approval list and approved unanimously 5-0.**

**Mr. Snyder-Grant moved, seconded by Mr. Charter to approve automated amusement devices as listed in the master renewal list and approved unanimously 5-0.**

**Mr. Charter moved, seconded by Mr. Snyder-Grant to approve the common victualler license as listed in the master renewal list and approved unanimously 5-0.**

#### **IV. Consent Items**

Mr. Martin held consent item 13 as Mr. Mangiaratti stated that the item was not ready for the packet and will be on the next agenda. **Mr. Snyder-Grant moved, seconded by Ms. Arsenault to approve consent items 12, and 14-16 inclusive and voted unanimously 5-0.**

##### **Sewer Commissioners**

(i) Discuss Request from Acton Water District Related to Use of Waste Water Treatment Plant as a PFAS Mitigation Measure (discussed after all New Business)

The Sewer Commissioners discussed agenda items 8-16 item before what was listed in order on the Agenda.

Chris Allen from the AWD presented the request. Assabet 1A well is the most affected well at 35-35 parts per trillion of the 6 PFAS compounds that are included in State guidelines. The AWD is requesting to move the backwash associated with cleaning the filters offsite to the South Acton Water Treatment plant to reduce the concentration. The discharge expected to be sent to the Water Treatment plant would be at a higher capacity up to 3000 gallons per day and lower during the winter months. It classifies as an industrial discharge and use chemicals (citric acid) to



deactivate the chemicals in the filter. It neutralizes the pH content. The long term options are to not use wells that have PFAS or to filter them. The proposal for the amount of time to temporarily increase the discharge capacity as a mitigation measure was approximately six months at a minimum but will continue to monitor during that time to see what the impact is.

Alissa Nicol, School Street – would like to note what the energy cost to divert 3000 gallons per day

Kim Kastens, Pope Road – supports the experiment and worth trying, would like to have PFAS testing in both the incoming water and outgoing water at the Waste Water Treatment plant, and would like to have a discussion at a future date for what the criteria for deciding if there was a positive impact on the Assabet 1A well to justify continuing the experiment

Terra, West Acton – encourages the Board to hire an independent contractor to monitor the discharge; questioned if PFAS is already in the ground water, and questioned if the Acton Water District has a permit why they are coming to the Board

**Mr. Snyder-Grant moved, and seconded by Mr. Charter to have the Sewer Commissioners approve of the discharge plan as proposed by the Acton Water District. A requirement of this discharge is that the Water District report back within nine months on the impact of the discharges to waste water operations and Acton Water District operations and voted unanimously 5-0.**

**Mr. Charter moved and seconded by Ms. Arsenault to adjourn and voted unanimously 5-0. Meeting adjourned at 11:15 PM.**

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

- Agenda, December 20, 2021
- PDF of a Powerpoint presentation from Bob Van Meter on why Acton Needs a Tenant Advocate
- Natural Gas Petitions, National Grid
- Emailed communications with Boston Area Gleaners about the Natural Gas connection request
- Pole Relocation Petition, Eversource
- Climate Action Plan Blueprint Presentation
- Draft Police Encouraging Building with Clean Energy Technology
- Clean Energy Proposal Comment from Economic Development Committee
- Water Resource Advisory Committee Water Study Presentation
- Draft Revised Charge, Diversity, Equity and Inclusion Commission



- Temporary License Agreement, Boston Area Gleaners
- Grant of Easement, 282 Main Street
- 2022 License Renewal List
- BOH Sewer Connection application executed 041615
- South Acton Water Treatment Plant to Waste Water Treatment plant Discharge Memo to the Acton Select Board
- Meeting Minutes, December 6, 2021
- Request for Extension of Reduced Parking Rates Email Dated December 14, 2021 from Theresa O'Leary
- Accept Gift Memo from Planning Division Dated December 10, 2021