



SELECT BOARD AND SEWER COMMISSIONERS

Meeting Minutes

Monday, March 7, 2022

7:30 PM

Room 204, Acton Town Hall and Virtual

Present: David Martin, Dean Charter, Jim Snyder-Grant, Town Manager John S. Mangiaratti, and Assistant Town Manager Mark Hald

Remote: Himaja Nagireddy, Fran Arsenault

Absent: None

Mr. Martin called the meeting to order at 7:30 PM.

I. **Regular Business**

1. **Resident Concerns**

None

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

Mr. Martin had no updates. Mr. Mangiaratti updated the Board that the new fire station is open and staffed as of February 24th; a formal ribbon cutting ceremony will be scheduled this spring. The Town is starting a process for implementing an online e-permitting system: An internal working group has been formed and is and taking input from the Economic Development Committee regarding the project. Will be speaking at the Community Preservation Committee tomorrow night regarding the updated Community Preservation application for the Asa Parlin House stabilization project. Attending the Historic District Commission tomorrow with DPW Director Corey York regarding final reconstruction plans of the Acton Town Center. The MBTA housing discussion is scheduled for the Select Board agenda on March 21st. The Sewer Commissioners will conduct a workshop on March 17th with a format similar to the Select Board's Goal Setting workshop. Local elections are on March 29th. State revenues were stronger than projected, so there will be a public hearing on March 15th to discuss releasing more local aid sponsored by the Legislature's Joint Committee on Ways and Means. Several town employees attended the Women Leading Government seminar on March 3rd focusing on leadership. Town staff is participating in a step challenge sponsored by the Wellness Initiative Network promoting wellness and exercise.

Mr. Snyder-Grant noted that a movie night sponsored by Energize Acton called 2040 which focuses on climate change will be held via Zoom on March 11.

II. **Public Hearings**

3. **Gas Main Petition, National Grid, 76 Powder Mill Road**

The petitioner requested to reschedule to April 4, 2022 at 7:35 PM. No action taken by the Board.



III. Sewer Commissioners

4. Sewer Privilege Fee Request, 242 Parker Street

The Engineering Department received a request from a property owner for an accessory dwelling for two-thirds of the privilege fee totaling \$20,000, and an additional request to reduce the fee to \$10,000.

Joan Houlihan (owner) requested the sewer hookup to the house main and not a new connection to the separate accessory unit, so it would be one hookup and requested to reduce the betterment cost from \$20,000 to \$10,000 because the accessory unit is only one bedroom. Mr. Martin commented that the connection request may have to go through the Board of Health.

Terra, West Acton – questioned if it was a single unit, questioned if the unit is considered a sewer betterment unit (SBU), Mr. Martin explained that according to the calculations, it would be considered two-thirds of an SBU and would be \$20,000, versus three or more bedrooms valued at \$30,000.

Alissa Nicol, School Street – commented, advising the Sewer Commissioners to not waive the reduced fee request in fairness to future applicants.

Mr. Charter was inclined to be sympathetic to the fee, yet felt it was not appropriate for this application. Suggesting having a conversation regarding the betterment fee calculation at a later date. Mr. Snyder-Grant noted the Board has the capability to waive the requirement according to the memo from the Town Engineer. There would not be the need to have additional street cuts, reduces cost to the applicant and would support the reduction in fee to \$10,000. Ms. Arsenault would support the reduction as well as Ms. Nagireddy, however Mr. Martin would like to have input from the Board of Health or appropriate town department, and noted some of the current apartment units are one bedroom that are charged the two-thirds cost and feels there needs to be a further discussion on the pricing calculations. Mr. Martin continued he supports the accessory unit connecting through the current house sewer main, but feels the cost should be the two-thirds amount. The Board would like to have further discussion on the fee at a later date. No decision was made; this subject will be revisited on the March 21, 2022 agenda.

IV. New/Special Business

5. Forum to Gather Public Input on Whether to Increase the Community Preservation Act Surcharge Used to Fund Affordable Housing, Historic Preservation, Open Space and Recreation Projects

Mr. Mangiaratti presented the Community Preservation Act surcharge proposal presentation. No questions from members of the Board.

Joe Cooney, Dustin Lane – supports increasing the surcharge to 3%, and noted that residents that are elderly or low income receive waivers from the surcharge, and that open space, once lost, can never be returned.

Bill Alesbury - does not support the surcharge increase, especially for Recreation purposes.

Andy Magee - supports the increase for open space preservation, adding that the State would match the percentage increase in CPA funding at 3%.



Bob Van Meter – supports increasing the surcharge to 3%, but would also support any percentage increase.

Franny Osman, Half Moon Hill – supports the increase to 3%.

Bettina Abe, School Street – supports increasing the CPA surcharge to 3%.

Alissa Nicol, School Street – supports increasing the CPA surcharge to 3%. As CPA funding assists local projects where alternative funding may be not available, and noted the exemptions that are in place for low income and elderly residents

Ray Yacouby – cautions Select Board about the consideration for the surcharge increase and accept that there are projects that the town cannot afford, and advised against voting on the increase in preparation for Town Meeting as the CPC has still a lot of work ahead of Town Meeting.

Terra, West Acton – requests to hear from Friends of the Senior Center and the Apartment Dwellers Group before weighing in on increasing the Community Preservation surcharge, doesn't agree that land purchase should solely come from CPA money and should create a land bank and use one to two percent of all house sales would be devoted to land purchases, create land clearing limits and prohibit the Planning Board from distributing density bonuses, support increasing the surcharge to three percent if the Senior Center and Apartment Dwellers don't object, does not support more building that is unaffordable, and has not seen progress with the Selectmen Goals on the Housing Rehab Trust.

Jeff Bergart, Alcott Street – supports increasing the CPA surcharge to 3% for Open Space but feels the town needs to define need vs. want; questions what the Board is doing about the freeze or reduction in taxes with the new school and the new fire station.

Walter Foster – supports the increase to the 3% surcharge.

Kara Lafferty, Alcott Street – supports CPA funding and feels there needs to be an increase in membership diversity on the Community Preservation Commission, that the funds are more of a need not a want, and supports the 3% surcharge increase.

Mr. Martin suggests taking the vote whether to pursue a surcharge change at the next Board meeting. Mr. Charter feels the highest and best use for CPC funds is Open Space projects, however, is not in favor of increasing the surcharge. He would consider agreeing that 40% of the CPC money be reserved for Open Space. Ms.

Nagireddy favors placing the topic on the ballot to see what the majority wants, but is concerned that if the Town increases to 3%, it would never be reversed. Mr. Snyder-Grant acknowledged that although most of the speakers today were in favor of an increase, the Board received many emails that opposed a potential CPA surcharge increase, and sees that as a predictor that even if a Town Meeting vote went through, that the needed ballot vote would be trickier, and would require an educational campaign to increase the chance of passage. He also noted that he sees coming Open Space purchases as the strongest argument for increasing the surcharge, and he would be open to supporting a change in the required expenditure levels to require a much higher minimum spending on open space than on the other categories of CPA spending. He explained that there are exemptions from the surcharge for low income households under 60 for a family of two annual income under \$77,312, and over 60



family of two household income limit of \$69,640. Ms. Arsenault supports a CPA surcharge increase to 3%, and would like to have more funding available for projects. Mr. Martin agrees that there is a need for an increase in surcharge and suggests an amount between the 1.5% and 3% to consider for the next meeting.

6. Board to Approve Town Manager Recommended FY23 Budget and Transmit to the Finance Committee

Mr. Mangiaratti presented his revised recommended FY23 Budget. Mr. Mangiaratti discussed the changes necessary to accomplish a 3% decrease of the budget, reducing Free Cash appropriations by \$300,000 in the capital plan, reducing general fund bonding by approximately \$500,000, and a general reduction to the municipal budget by \$1,134,866, with a total budget request of \$38,942,698 for FY23.

Board members commented on their appreciation of the work done by Mr. Mangiaratti and town staff on the new budget plan.

Charlie Kadlec, Paul Revere Road – questioned the inflation rate built into the budget – Mr. Mangiaratti looks at department expenses and decides what increases in costs to expect. Mr. Kadlec felt concern that the proposed budget is not realistic.

Franny Osman, Half Moon Hill – appreciates the \$18,000,000 for proposed capital projects.

Ray Yacoub, Harris Street – appreciates the professionalism of the Town Manager and staff and the new sidewalk recently constructed on Harris Street in conjunction with the construction of the new fire station.

Terra, West Acton – feels the town is relying on the income from new growth, which is not a good practice, encourages the purchase of open space to avoid future costs, and recommended establishing a land bank for future land purchases.

Mr. Charter moved, seconded by Mr. Charter to adopt the Town Manager's proposed budget and transmit to the Finance Committee and voted unanimously by roll call vote 5-0.

7. Discuss Department of Energy Resources Stretch Code Comment

Mr. Snyder-Grant presented information about a comment letter to the Department of Energy Resources that the Select Board could sign on to, individually or as an entire board. He presented this information as background:

The Commonwealth energy code currently comes in two varieties: the regular energy code and the "stretch" energy code. One of the requirements for Acton becoming a Green Community was to opt in to the 'Stretch' energy code. The Climate Roadmap bill, signed into law early in 2021, requires the state Department of Energy Resources (DOER) to develop and promulgate a further level of opt-in stretch code, a Net Zero stretch code. The 'straw proposal' for this new code was recently released, and the DOER is in the middle of gathering comments before promulgating a final version.

When Town Meeting passed the "Building with Clean Energy" bylaw overwhelmingly in 2021, the bylaw included an acknowledgement that we could not proceed to slow down the use of fossil fuel infrastructure in new construction and



major rehab without state legislative action. The new opt-in Net Zero stretch code promised to be a way to achieve the goals of the bylaw, by providing a path for Acton to choose a Net Zero stretch code, which, by the definition in the legislation, promised to be a way to prevent most use of fossil fuel infrastructure in new construction or major rehabilitation. But, instead, the draft regulations allow for use of natural gas or other fossil fuels as long as other conditions are met: good weatherization, electric capacity capable of handling future heat pumps and future electric vehicle charging stations, and solar panels if the roof orientation and local shade conditions allowed solar. That's not enough to achieve the intent of the Building with Clean Energy bylaw, it's not enough to slow the growth of residential emissions in Acton and other municipalities in Massachusetts, and it doesn't meet the intent of Climate Roadmap bill.

The letter in our packet is a request to make the opt-in stretch code a true Net Zero stretch code. The letter includes a snapshot of those who have signed on already, and includes elected and appointed representatives from 37 Municipalities so far, with more expected to come in in the next couple of days.

Mr. Charter said that the town needs to maintain flexibility in energy resources and was not in favor in adopting a stretch code and signing on to the letter. Ms. Nagireddy supports signing onto the letter. Select Board members will individually sign their support online. No formal vote was needed.

V.

Consent Items

Mr. Martin held consent item 12. Mr. Charter moved, seconded by Mr. Snyder-Grant to approve consent items 8-11 and 13 inclusive and voted unanimously by roll call 5-0. Mr. Martin requested to move the expiration date of consent item 12. a reduction in parking fees at the commuter lot, to September 30, 2022. Mr. Charter moved, seconded by Mr. Snyder-Grant to extend the parking rate reduction to September 30, 2022 and voted unanimously by roll call 5-0.

Mr. Charter moved, seconded by Mr. Snyder-Grant to adjourn and voted unanimously by roll call vote 5-0. Meeting adjourned at 9:40 PM.

Documents and Exhibits Used During this Meeting

- Agenda, March 7, 2022
- Gas Main Petition, National Grid
- Sewer Privilege Fee Request, 242 Parker Street
- Community Preservation Study Committee Report from 2016
- Community Preservation Act Surcharge Presentation
- Town Manager Revised Recommended FY23 Budget Presentation
- Department of Energy Resources Stretch Code Letter and background material
- Request for Use of Town Roads, Boston Brain Tumor Ride
- Committee Appointment Recommendation, Deena A. Ferrara
- One Day Alcoholic Beverage License Application, Douglas Elementary PTO
- One Day Alcoholic Beverage License Application, AB Youth Hockey



- Email from Theresa O'Leary Requesting Reduced Parking Rate Extension Dated March 3, 2022
- Refund Request Memo for Planning Division Dated February 16, 2022