



SELECT BOARD  
MEETING MINUTES  
OCTOBER 7, 2024

7:00 PM

ACTON TOWN HALL, ROOM 204  
472 MAIN STREET

Present: Fran Arsenault, Alissa Nicol, Dean Charter, David Martin, Jim Snyder-Grant

Additional Attendees: Town Manager John Mangiaratti, Executive Assistant Lisa Tomyl

**I. Regular Business**

**1. Resident Concerns**

Cleomar Venancio, Davis Road - concerned about gun violence in schools around the nation, and requests Acton act now to strengthen school security, remove guns from homes, support mental health with students and provide counseling, enforce a gun free zone, and be proactive to prevent a tragedy.

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

Mr. Charter noted the Community Preservation Committee adopted the CPC plan which is now available online, funding applications will be accepted until November 12<sup>th</sup>. On September 26<sup>th</sup> the Public Works Building Committee held a public meeting soliciting input regarding the proposed plans for the new Public Works Facility; the presentation was recorded and is available online. On October 1<sup>st</sup> the 250 Committee partnered with the Memorial Library sponsoring a Colonial Books and Brews event which was well attended, and rolled out the Isaac Davis Brown Ale. The Acton 250 Committee's next planned event will be on October 24<sup>th</sup> at 7:00 PM featuring Robert Gross speaking on the Road to Revolution. Mr. Martin noted that the School Committee approved the placement of a cell tower on school property due to the concerns about cellular and radio communications during emergencies and also approved a Memorandum of Understanding with Acton PD on the School Resource Officer program, the school district has a survey regarding the elementary school budgets available online and encourages the public to fill it out. Ms. Nicol announced that the Acton Boxborough Cultural Council is accepting grant applications until October 16<sup>th</sup> and that more information is available on their website. The Habitat for All webinar scheduled for this week has been rescheduled to November 6<sup>th</sup> at 7 pm. Ms. Nicol also announced that on October 20th the Sargent Memorial Library will host a Diwali event offering free admission; additional parking will be at the Boardwalk campus

with a free shuttle, and the annual Stand up to Stigma at Cucurbit Farm fundraiser for National Alliance for Mental Illness is going on this month.

Mr. Mangiaratti announced that the new Town Clerk is settling in well, the Clerk's Office has sent out 7500 mail-in ballots which should arrive to registered voters by Saturday, and the deadline to submit is later this month.

## II. Public Hearing

3. 7:10 PM Site Plan Special Permit #06/24/2024-490, 358 Great Road, AHC, Inc. & Thomas Buckborough

Ms. Arsenault noted the applicant has requested to continue to November 18th at 7:10 PM. **Ms. Nicol moved, seconded by Mr. Charter, to continue the site plan special permit #06/24/2024-490, 358 Great Raod, AHC, Inc. and Thomas Buckborough to November 18, 2024 at 7:10 PM and approved unanimously 5-0**

4. 7:20 PM Section 12 All Alcoholic Beverage Pouring License, Bracamontes, Inc, D/B/A Luna Mexican Restaurant, 20 Nagog Park

Ms. Arsenault read the public hearing notice. Representing the applicant is Sergio

Mr. Martin asked the number of seats – total of 100. Mr. Martin asked when they intend to open – first week of December. Mr. Snyder-Grant asked if the building permit triggered the fossil free requirement; Mr. Mangiaratti noted that since only 50% of the building will be altered, it does not.

Ms. Nicol asked about the missing entries noted by the Police Chief – application has been updated and applicant, who is the manager, is a citizen.

**Mr. Snyder-Grant moved, seconded by Mr. Martin to close the public hearing and approved unanimously 5-0. Mr. Snyder-Grant moved, seconded by Mr. Martin to approve a section 12 all alcoholic beverage pouring license for Bracamontes, Inc D/B/A Luna Mexican Cuisine at 20 Nagog Park, Acton MA and approved unanimously 5-0.**

5. 7:30 PM Common Victualler License, Bracamontes, Inc. D/B/A Luna Mexican Restaurant, 20 Nagog Park

Ms. Arsenault read the public hearing notice. Representing applicant is Sergio  
Ms. Nicol asked if there were any plans to increase the number of seats in the future as there is additional seating capacity; there is no plan to do so.

**Mr. Snyder-Grant moved, seconded by Ms. Nicol to close the public hearing and approved 5-0. Ms. Nicol moved, seconded by Mr. Snyder-Grant to approve a common victualler license for Bracamontes, Inc. D/B/A Luna Mexican Cuisine at 20 Nagog Park, Acton MA, and approved unanimously 5-0.**

6. 7:40 PM Change in Hours, Eve & Murrary's, 525 Massachusetts Avenue  
Representing Eve & Murrays were Dawn Aguiar and Tamera Deluzio. The owners commented that they were able to hire more staff, so they have extended their hours of operation to Monday-Saturday 10-5, Sunday 11:30 – 4. **Mr. Martin moved, seconded by Ms. Nicol, to close the public hearing and approved unanimously 5-0. Ms. Nicol moved, seconded by Mr. Martin, to approve the change in hours for Eve & Murray's at 525 Massachusetts avenue and approve unanimously 5-0.**

### **III. New/Special Business**

7. Consider Options for Wayfinding Signage

Kristen Guichard, Planning Director, presented Town Wayfinding design options, noting the aim to is enhance the visitor experience: defining entry points to the town, shopping areas, parking, etc. Ms. Guichard presented several different design options, proposing to either have the Board choose a design or engage the community before choosing the final design decision. Mr. Mangiaratti noted the signs would be targeted towards drivers rather than pedestrians. Board members weighed in on the 4 options. Mr. Martin noted his preference for the slogan. Ms. Nicol preferred design A, Ms. Arsenault liked design B with “Acton” on top of the sign, Mr. Martin preferred design B, suggests the sign be blue in the background, and to grammatically edit the slogan, Mr. Snyder-Grant liked the idea of inclusivity, doesn’t like the idea of Design B with the picture of Town Hall and prefers the simplicity of design A. Ms. Nicol remarked on the detail at the top of design B represents a bridge and ties together both the culture and history important to the public, but still appreciates the simplicity of the design A. Mr. Martin prefers using the Town Hall as the picture and utilizing the blue background on the signs. Ms. Guichard noted the next step would be applying for a grant. Board members preferred the Town Hall image, bridge topper and the dark blue background color.

Ms. Guichard highlighted slogan options. Ms. Nicol prefers no slogan. Mr. Charter prefers slogan B – where trails connect and cultures unite. Mr. Snyder-Grant prefers no slogan. Mr. Martin prefers option a – where community thrives, and suggests changing to “where communities thrive.” Ms. Guichard suggests a community survey for refinements and slogan selection and looking to return to the Board on November 4<sup>th</sup>.

8. Approve Extension of Grant Option Agreement, 362-364 Main Street, with the Acton Housing Authority, McManus Manor LLC and Town of Acton

Mr. Mangiaratti noted that the Town Manager’s office received a request to extend the option agreement that is expiring soon, and that work is already underway. The Housing Authority drafted the extension and is requesting approval from the Board. Mr. Martin asked if anything had changed in the agreement other than the dates. Ms. Cronin noted that the AHA is looking to close on the loan in December, receiving money from tax credit investors, and that after

10-15 years the tax credit investors dissolve. The only change other than the dates is the name to McManus Manor , LLC instead of the AHA. **Mr. Martin moved, seconded by Ms. Nicol, to approve the extension of grant option agreement for 362-364 Main Street with the Acton Housing Authority, McManus Manor, LLC and the Town of Acton and approved unanimously 5-0.**

9. Approve Flag Display Policy

Ms. Nicol followed the direction of the Board to draft a formal flag display policy, pulling wording from the original motion and adding 2 statements about government speech and Select Board approval being required. Mr. Snyder-Grant noted a reflection of the Board's direction. Ms. Nicol would like the board, in the future, to consider adding flags related to holidays and town-sponsored events, engaging in a broader community discussion, and combining the flag lowering policy, flag condition, and this into a single policy regarding flag display. **Mr. Charter moved, seconded by Mr. Martin, to approve the flag display policy in the packet and approved unanimously 5-0.**

10. Discuss Updates on Public Works Building Project and Public Design Presentation

Mr. Charter updated the Board with the recent presentation and public forum on the Public Works Facility project and public design and recapped the project history. There were no options for moving the operations offsite during the construction, so a phased construction plan has been developed; some residents expressed concerns about increased vehicular traffic on Forest Road at the forum. The DPW Building Committee will continue to engage and work with resident concerns as the design continues including adding landscape buffering. Mr. Charter noted that the facility will act as a sound barrier directing noise towards the transfer facility and protecting abutting neighborhoods, also noting the current location is the best fit as it is close to the center of town. The committee will be meeting in November to discuss next steps, and feel they have a viable project and intend to bring it to Town Meeting in May.

Mr. Mangiaratti stressed the importance of the DPW to public health and safety for the community. Mr. Mangiaratti is working with the Finance team on the financial impact of the project and will be presenting an update to the Finance Committee tomorrow.

Mr. Snyder-Grant asked what large projects the town and/or school district has in the next few years. Mr. Martin supports the project and stresses the current building does not meet current building and safety standards. Ms. Nicol is supportive of the project, and noted the only large project on the radar for the schools is the Conant School within the next 3-5 years, and the recent debt exclusion for both the North Acton Fire Station and the Boardwalk school. Mr. Mangiaratti noted the recent creation of the DPW project webpage that will display the most recent updates on the project. Mr. Charter noted the phasing in of the construction initially was over several years which would increase the cost of

the project, and the plan is to have construction completed within two years. Mr. Martin requests updates on the project monthly.

11. Review Draft Policy for Town Counsel Use for Town Meeting Citizens Petition Articles

Mr. Martin presented the draft policy for the use of Town Counsel regarding citizen petition review. Mr. Snyder-Grant noted the draft accurately reflects previous conversations on the topic.

Mr. Charter noted the policy as drafted is sufficient, stressing that citizen petitions are for citizens and Town Counsel should not be involved in crafting the language of their proposed article. Ms. Nicol generally agrees with the draft, and offered suggestions for changing the beginning of the third paragraph by removing the phrase “conflict of interest”, and rephrasing it to “Whereas in the case a Citizen Petition is in conflict with Select Board goals, or about which the Select Board does not agree, it would not be in the interest of the Select Board to have Town Counsel, the attorney for the Select Board and Town Manager, to aid in the development of such a petition”, and suggests clarification on what the effect of such petitions would be before Town Meeting is critical.

Terra – believes the document is missing language about the allocation of public resources, asks the board to separate petitions that require Town Counsel review, would prefer that the collection of signatures be allowed to take place after Town Counsel review

Mr. Charter noted that Town Counsel is a resource for the Select Board and Town Manager, is appointed by the Select Board and is paid for through taxpayer funding, and is up to the discretion of the Select Board on how that resource is used. Ms. Nicol feels it would be a great risk to allow petitioners to collect signatures after Town Counsel review. Mr. Martin will update the policy with the suggested wording from Ms. Nicol.

12. Review FY25 Revenue Updates and Discuss Acton Leadership Group Meeting

Mr. Mangiaratti updated the Board on the FY25 revenues and highlighted projections. \$1.7M in excess of projected revenue was collected in FY24; the FY25 and FY26 budgets will be adjusted to reflect this expected continued fiscal growth. There is a tax recap process underway and noted that due to an oversight, Town Meeting did not appropriate the full amount of revenue agreed upon by ALG from free cash. Mr. Mangiaratti outlined the tax recap process and the changes that are being made in the FY25 and FY26 budget planning. Mr. Mangiaratti highlighted the trends in local receipts from 2018 to 2024 with 2024 ending at \$7.4 million, and motor vehicle excise receipts ending at \$4.1 million in 2024, the highest in trends since 2018. Mr. Mangiaratti outlined the FY2026 budget timeline, summarizing the dates for budget milestones such as the Select Board budget workshop and 2026-2035 capital improvement plan in December 2024, the presentation of the Town Manager recommended budget in January 2025, the joint budget workshop with the Finance Committee in January 2025,

and the final transmission of the budget to the Finance Committee in March 2025. Mr. Snyder-Grant expressed concern regarding the oversight and requested reassurance it would be remedied before the next budget is moved forward. Ms. Nicol asked why the ALG plan net position must be adjusted to \$0 for the recap – need to submit to the state a budget that balances out to \$0, but still have the \$676 although not spending it in the budget. Mr. Martin noted that when ALG adds up all the numbers they are sometimes off because they deal with general numbers and are not intended to be exact. Mr. Martin requested to not use any of the unused tax levy for next year, last year's ALG felt they could use 1/3 of the untaxed levy left over from the override, but he expects that this year will be easier financially than the next 2 years. Mr. Snyder-Grant asked about social services support and the untaxed levy. Mr. Charter noted the short-term support with ARPA money was specific to the pandemic and stressed leaving the untaxed levy untouched, expressed concern about institutionalizing short term programs in the budget process and suggested a further conversation in the future. Ms. Arsenault requested a list of all programs that were funded with ARPA money.

13. Announce Several Grants Awarded from the Commonwealth of Massachusetts and Discuss Next Steps

Mr. Mangiaratti announced several grants recently awarded from the state: energy efficiency, Memorial Library for programming, DEI Director Wanjiku Gachugi is advancing efforts with the Collins Center for an equity audit advancement through a Community Compact grant, Director of Health and Family Services Penny Funaiole will advance a community health needs assessment, also funded by a Community Compact grant, all starting this winter. DPW Director Corey York will apply a Dam and Seawall grant to the Bellows Farm dam breach, and the town was also recently awarded a grant from the Energy Office of Environmental Affairs for a potential land acquisition.

**IV. Consent Items**

**Mr. Martin moved, seconded by Ms. Nicol, to approve consent items 14-22 inclusive and approved unanimously 5-0.**

**Ms. Nicol moved, seconded by Mr. Martin, to adjourn and approved unanimously 5-0. Meeting adjourned at 9:50 PM.**

**Documents Used**

- October 7, 2024 Agenda
- Site Plan Special Permit #06/24-2024-490 link document
- Section 12 All Alcoholic Beverage Pouring License Application, Bracamontes, Inc.
- Common Victualler License Application, Bracamontes, Inc.
- Change in Hours Application, Eve & Murray's
- Wayfaring Signage Presentation
- Extension of Grant of Option Agreement, 362-364 Main Street
- Flag Display Policy

- Draft Policy for Town Counsel Use for Town Meeting Citizen Petitions
- FY25 Revenue and ALG Updates Presentation
- Memo from Town Clerk Dated October 3, 2024
- Meeting Minutes, August 26, September 9 and September 20, 2024
- Memo from Fang Yang Recommending the Appointment of Rob Beck to the Planning Board
- Email from Jim Snyder-Grant Requesting the Appointment of Patricia Clifford as a Full Member of the Planning Board and the Appointment of Ron Beck to the Planning Board Dated September 30, 2024
- One Day Malt and Wine License Application, Theatre II
- One Day Malt and Wine License Application, Nashoba Valley Neighbors Club
- Memo from Police Chief James Cogan Dated September 16, 2024