

# TOWN OF ACTON SELECT BOARD MEETING

August 17, 2022

5:00pm

1. **CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**
2. **WARRANTS/BILLS: Signed**
3. **APPROVAL OF AGENDA: David Winchell Jr. made a motion to approve the agenda, Kimberly Stacey-Horn seconded the motion. All in favor, motion carried, 3-0.**
4. **MINUTES OF LAST MEETING: Kimberly Stacey–Horn made a motion to approve the minutes of the meeting of August 10, 2022; David Winchell Jr. seconded the motion. All in favor, motion carried, 3-0.**
5. **EXECUTIVE SESSION 406 6-A-1 - Land Use Secretary/Town Hall Personnel: 5:40 p.m. Kimberley Stacey-Horn made a motion to go into Executive Session. David Winchell Jr. seconded the motion. All in favor, motion carried, 3-0. David Winchell Jr. made a motion to come out of Executive Session. Kimberly Stacey-Horn seconded the motion. All in favor, motion carried, 3-0.**

Tom McGurty updated the Land Use Secretary/Town Hall Personnel search and stated that there were 2 applicants, one applicant withdrew the application. The Select Board has agreed to reopen the search with a new job description and criteria.

6. **TOWN ADMINISTRATOR WEEKLY UPDATE:**
  - The Town Administrator reported that she has been working with the Treasurer and O'Donnell's Associates on the tax rate calculator. The values are in place and the county tax rate has been set. There needs to be some clarification on the undesignated funds and the school budget. The tax rate should be set by the last week of August or the first week in September. The taxes are due by October 14, 2022.
  - There will be no Select Board meeting on August 24, 2022.
  - The Fire Chief Commission names deadline is August 24, 2022.
7. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**
  - A. **Forest/Conservation Committee:** The Chair of the Committee, Steve Bodkin, spoke about the importance of sustainable forestry and the transparency of his work, and the lack of conflict of interest in his position. Andy Brazier, of the committee, stated that there were concerns on the committee that there is no ordinance governing the committee and no job description for the forester. Mark Hurd stated that there was no conflict of interest in the work of the committee.

## **PUBLIC HEARING REGARDING TOWN MEETING FORMAT:**

Tom McGurty opened the Public Forum.

The Select Board heard residents concerns regarding changing the Town Meeting Format. The Town Administrator read aloud many emails received regarding the issue.

Tom McGurty closed the Public Forum.

## 7. DEPARTMENT HEADS, CONTINUED:

B. Will Langley reported on District One.

The West Shore Drive project engineer reported that the designer is on vacation. The plans are coming along and the final cost adjustments are being made to get a realistic cost estimate done. They are doing the adjustments to nail down a solid number.

## 8. LIASION UPDATES

### Tom

Warrant & Finance Committee: Met with the Chair to schedule plans  
Transfer Station: Met with the Superintendent to discuss some issues  
Fire Department: Waiting for the Commission member list  
Capital Improvement: Met with Joyce Bashki to hear thoughts and concerns

### Kim

Recreational Committee: No meeting this week  
School: Meeting in September  
APAT: Met with Mike regarding glitches and 3 day posting time  
Cemetery Committee: Meeting in September

### David

Roads & Road Committee: Met with Will regarding West Shore Drive  
Code Enforcement and Land Use: Met with Jason regarding Northstar contract  
Mary Grant Committee: No meeting  
Conservation / Forest Committee: Updated last week

## 9. OLD BUSINESS

A. **CEO Policy:** The Town Administrator read the completed CEO Policy.

**Kimberly Stacey–Horn made a motion to approve the CEO Policy. David Winchell Jr. seconded the motion. All in favor, motion carried, 3-0.**

B. **Roofing Bids Update:** The Town Administrator reported that the CEO went over the two contracts received. Aside from the contract warranty length the two contracts are equivalent. He recommended the contract from the low bidder.

**David Winchell Jr. made a motion to accept Precision Roofing’s contract at a cost of \$14,000, Kimberly Stacey-Horn seconded the motion. All in favor, motion carried, 3-0.**

Tom McGurty asked the Town Administrator to reach out to Precision to ask if they could extend their 10 year workmanship warranty.

C. **North Star Agreement:** The Town Administrator presented that the CEO is using the Services of NorthStar and would like to extend the contract.

**Kimberly Stacey–Horn made a motion to approve the extension of the Northstar Contract. David Winchell Jr. seconded the motion. All in favor, motion carried, 3-0.**

## 10. NEW BUSINESS

A. **Open Water Bids:** The Town Administrator reported that nine invitations to bid were sent out and two bids were returned. One was from McMahan’s for \$ 15,600 and one from Fontus Water for \$14,000. The bids are very detailed and technical. The Town Administrator will make copies for the Select Board and the CEO to check on codes. Tom McGurty asked The Town Administrator to reach out to the third party that was consulted previously for clarification on the procedures delineated in the bids.

B. **Mass Gathering Permit:** The Mason group, Widow’s Sons, has applied for a four day permit for September 1<sup>st</sup> -4<sup>th</sup>, 2022 for their annual meeting.

**David Winchell Jr. made a motion to accept the Mass Gathering Permit for September 1-4, 2022, Kimberly Stacey-Horn seconded the motion. All in favor, motion carried, 3-0.**

C. **Road Assessments:** Tom McGurty stated that he met with the Town Administrator and the Town Treasurer to discuss the undesignated funds. He stated that there would be a re-eval the next fiscal year and the Town had a fair amount in reserves. He stated that there could be a plan to use some of the funds in tax relief and/or for road repair. He suggested that perhaps an engineer could be used for an

independent assessment to develop a better understanding to better maintain the roads. He questioned what the reserves were for and could they be applied in the calculation of the tax rate.

David Winchell Jr. asked if he had spoken with the Road Commissioners? Tom stated that he had not. David said an engineer was great, but the Road Commissioners had a five year plan to do the road work and had designated monies to complete the work. He felt an engineer would only escalate the cost of the work to be done and would take away the road Commissioners authority.

Kimberly Stacey-Horn acknowledged that some projects do warrant an engineer.

Tom felt that an assessment of the condition of the roads would provide a good survey and good data. He also said that the money allotted was split between the Road Commissioners and maybe a survey would better help assess the conditions of the roads.

Will Langley stated that he had been thinking that with the work to be done on H Road next year, he would like an engineer's input for the area around the Transfer Station because of the heavy traffic and for safety reasons.

A multi year plan was developed two years ago with a 1, 3, and 10 year projection.

Kim stated that the plan could be updated.

Dennis Long stated that the Road Commissioner's could maintain their work plan. Tom stated there was a difference between fixing roads rather than just maintaining them.

Joyce Bakshi said the Capital Improvement committee said the Town should look to the future and fix rather than just maintain.

Tom stated that there were reserves in the budget for long term improvement and long term funding needs. Money could be put aside each year for a long term plan as this was good fiscal management.

Fran Bodkin stated that communication was key and leave point procedural functioning to the experts.

Ray Lopez stated the plan was done, why spend money on an engineer?

Kim stated that the Road Commissioners should follow the long term plan and enter their work on the designated computer program. The Road Commissioners will meet with the Town Administrator on Monday, August 29, 2022 at 9:00 am. This program will be good for record keeping and will allow planning for the future, provide historical accounts, provide long term planning for the road budget, and have a clear maintenance record.

Kimberly Stacey-Horn asked what would be done with the information gathered at the Public Hearing. It was stated that no decision would be made, that this was an informational session. Kim asked if an article should be written to put on the November ballot following this discussion.

David stated that the Board should go forward to November and put this forward for the Town to vote for a secret ballot.

**David Winchell Jr. made a motion to put an article forward to allow the voters to decide if they want to change the form of Town government to a referendum form, Kimberly Stacey-Horn seconded the motion.**

PUBLIC COMMENT:

Joyce Bakshi asked what are the options? How many articles? How many referendums? What would the resources be? David replied that the Select Board would get the information out to the public.

Dennis Long reviewed Town history stating that the Town changed accounting systems from an accrued accounting to cash based system at the school, so the fiscal year for the school changed and the budget was for a year and a half the first year.

Nancy Ruma stated that the Town would have to work thru the logistics, and felt the question was not fair to ask without further clarifying information.

Tom McGurty asked if the Board should move forward with a decision after Select Board discussion or should a commission be brought forward to increase participant communication.

**The motion was voted on, Motion passed, 2-0-1.**

**The Town Administrator asked for clarification; and will create an order to be put on the November ballot to ask if the voters of the Town want to change the form of Town government from open town forum to the referendum style. The Town Attorney will write the question. The Town Administrator will set up a timeline to address everything that has to be met. If this passes in November, it will change the form of Town Government.**

**The Town Administrator will lay out the time line for the August 31, 2022 Select Board.**

**11. PUBLIC COMMENT:**

Rollin Waterhouse asked about the new fire truck and when it would be ready. Tom McGurty replied that it has been shipped from Europe, all assembled and the price was frozen.

**12. PENDING:**

- A. Town Report Letters due - *August 19, 2022*
- B. New Bridge Fence - *Awaiting Owner Signature*
- C. Fire Chief Commission Names due - *August 24, 2022*
- D. Sand Bids - *August 31, 2022*
- E. Fire Chief Applications - *August 31, 2022*

**12. ANNOUNCEMENTS**

- August 18, 2022 Planning Board 6:00pm
- August 21, 2022 Rec Committee 9:00 am
- August 22, 2022 W/F Committee 6:00pm
- August 28, 2022 Mary Grant Committee 2:00pm
- August 31, 2022 Select Board 6:00pm

**David Winchell Jr. made a motion to adjourn the meeting, Kimberly Stacey-Horn seconded the motion. All in favor, motion carried, 3-0.**

**13. MEMBERS PRESENT: Tom McGurty, David Winchell Jr. Kimberly Stacey-Horn.**

**14. ATTENDANCE: Jason Sevigny, Andy Brazier, Mark Hurd, Steven Bodkin, Rollin Waterhouse, Susan Meaghan, Ed Walsh, Nancy Ruma, Richard Nass, Joyce Bakshi, Dennis Long, Ray Lopez, Will Langley, Adam Doliber, Fran Bodkin**