

TOWN OF ACTON SELECT BOARD MEETING
April 26, 2023
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Tom McGurty called the meeting to order at 6:01pm.

2. WARRANTS/BILLS

3. APPROVAL OF AGENDA

Selectmen Stacey-Horn made a motion to approve the agenda; seconded by Selectmen Winchell. All in favor.

4. MINUTES OF LAST MEETING

Selectmen Stacey-Horn made a motion to go approve the minutes for 4/5/2023 and 4/12/2023; seconded by Selectmen Winchell . All in favor.

5. TOWN ADMINISTRATOR WEEKLY UPDATE

- Clean up day May 6, 2023 - Group has asked for permission to use the parking lot for their event. Selectmen agreed.
- School Election is May 2, 2023, polls open 8 am - 8 pm
- Town's new hours start next week.
- Thoughts and prayer being sent to families and friends of 5 Acton residents who have passed this week.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

A. Dennis Long, Warrant & Finance Committee - withdraw item D as they have gotten their questions answered. Also, it was seen that the Planning Board has made some additional changes; will these changes be sent to the Warrant & Finance Committee? Looking only for the last changes made.

B. Joyce Bakshi, Capital Improvement Committee wanted to thank the Board for the TRC Assessment; good item to have.

C. Will Langley, District One: The following work was completed:

- All sweeping
- An oil truck went in the ditch line on the main road and his crew dug it out this morning
- Cleaned up the end of the turnaround
- And, Friday plans on doing some coal patching fixing holes out in the parking lot
- Chip all the brush from previous storms which froze and just going to try and clean everything up next week from the storms
- Tar break ups on side of road will also be fixed up on Friday.

7. LIAISON UPDATES None

8. OLD BUSINESS

A. Facility Assessment still under review - The Board opened the floor for public comments

- Denise Bowden, a prior licensed engineer, brought to the Board a list of discrepancies she found in the report:
 - The library was not built in 1994
 - Not sure what type of research they are doing as she gets a different picture doing her own look up on Google, town website, tax maps, etc.
 - Questioned that the church was responsible for the condition of the northern portion of the parking area and agreements to do work such as plowing and line striping
 - Information about abutters - report indicates property abutting tennis courts; tax map indicates Congregational Church.
 - Items about the foundation - report says all buildings are concrete on slab on grade; when you walk the back you see granite block.
 - The adequacy of lighting was assessed; but in report they say subject property was not observed at night.
 - The question of moving the library to the old fire house.
 - Ms. Bowdon did not believe anyone associated with the library was interviewed or talked to about this subject.
 - There were no interior pictures of the library at the back of the report which led her to believe they didn't even walk through the area. This point was countered as the Town Administrator and CEO both took them to the library.
 - Ms. Bowdon continued that she has been in Acton for 5 years and recalls hearing that the building when used as a gym flooded and there were moisture and mold issues. She indicated she wanted to bring that up because the report said only to pressure wash it and if there was going to be any type of construction or workers, that would need to be mitigated.
 - Asked about upper level windows in the library.
 - Asked about the heating split systems - the library has one but the Town building has one too.
 - Contradictions: renovation of 2 restrooms in the office area to be public men's and women's and then later say to combine the two with an administrative hallway into one accessible public restroom. (Town Administrator believed they were giving options).
 - Moving Town Manager and Town Council into the library building you wouldn't have accessible bathrooms in that area.
 - Only interviewing three people does not give an accurate report; more input is needed, i.e., Acton/Shapleigh Historical Society would have been a good resource. Speaking to the Select Board was not listed in the report.
- The Board asked if Ms. Bowdon what her conclusion about the report was.
 - If there was that much found from her home computer, then the report should be in question.
 - When asked (because she worked in the library) what idea she felt the Board should be doing with the library she reiterated she was only a library clerk and that would have to be up to the Library Board of Trustees. She then continued that she had a few ideas of what she would do that weren't even in the report.
- Will the Board of Trustees meet to come up with some idea of what they would do? There is a trustee here so she could answer but to do with that as a facility being a library, the concern would be the moisture and humidity with the books and paper.

Discussion ensued. The Board wanted to know structurally if the building was sound before doing renovations.

The report indicated it was a visual not a structural analysis.

Selectmen McGurty indicated the merit was in engaging discussion in the town about what the needs in the town for space were and before anything would be tore down, where there other uses for that structure. If structurally sound, aesthetics can be changed. By this firm saying yes to soundness, it opens possibilities for the town to consider, and before any project is undertaken the Board needs to hear from the people in town on how they would use the additional space.

While in the early stages of saying ok structurally things look good, let's figure out what we want to do with these spaces.

Selectmen Winchell just wanted to make sure the building was sound. He has his own view on what to do, but the Town of Acton is in a good spot to come up with a plan. All good discussion." More discussion followed regarding building use and combinations of buildings

Elise Miller spoke that she was surprised at the library possibilities discussed because she had worked hard to make the library a nice space for families but indicated they are outgrowing the space and she wouldn't mind sharing some space with the Rec department but not open to the library but as closed conference room. She and the board members would like to be a part of the discussions.

Joyce Bakshi indicated the committee had not finished reviewing the report but wanted to comment that they were bantering about ideas on how to make over space and utilize it, i.e., a community space. Would like the community to be involved and have a reconstructing committee or a beautification committee, etc.

Selectmen McGurty indicated when there is so many thoughts on what should be done a master plan made be needed. But it is good to have these discussions. There is a lot of expertise in the community.

Charlie Kaywork stood and gave a brief history on the buildings and their ages. Regarding the report, exceptions were made and the buildings were not assessed structurally. He explained the structural discrepancies and asked about why no energy efficiency audit has been done. He spoke about mold and no environmental controls in place. He was not sure where numbers in report came from. Headspace and floor space build ups were mentioned as well as insulation and vapor barriers. Recommend that these be items be considered before putting money into them. Even though National Registry worthy as historical values go they are important to society. To him the report failed but the Board did get what they asked for.

9. NEW BUSINESS

- A. Bridge Report was received for Balch Dam. Report was accepted and will be filed.
- B. District 1 Road Survey Request - Hawk Road Cost \$8,000 for 800 feet of road.
This is a bit pricey. No hourly was given for the survey. The Selectmen asked Mr. Langley to go back and get an hourly price, which should be close to the Engineer price. Discussion ensued regarding a survey company, checking pricing, the need of a surveyor and project timeframe. .

Charlie Kaywork commented on survey companies and that this should have been packaged in with the engineering firm. The Board responded this was different and just a survey. Charlie asked about the amount of road and price. Response was 800 feet for \$8.000 and Charlie also indicated this w2as too much.

Tabling until next meeting

- C. 23-24 Draft Warrant, page 9, Article 11 is starting point. Discussion ensued on

reducing the number of individual warrants.

- Articles 9, 10, 11 and 12 are housekeeping per statute.
- The two that say 11 and 11 can be combined.
- Twelve should be left alone.
- 16 and 17 can be combined
- 18 needs to be discussed.
 - The Board is intending to remove District One and Two road surfacing reconstruction and summer maintenance from rollover accounts and that's what this article does. Is that the Board's plan? Yes
 - Currently, they rollover and if we remove them, those funds would just fall to undesignated reserves.
 - Talk was to get rid of special projects and do them like Shapleigh does them? Each road would have a reserve account.
 - Road Commissioners won't lose that money. When the job is completed the excess will go back to reserves.
- 19 can go with 16 and 17.
- 21 - Selectmen McGurty wants to combine departments with appropriation would be combined allowing for movement within. Town Administrator did not recommend this. Selectmen Winchell and Selectmen Stacey-Horn wants to keep separate.
 - 21 and 22 - health and welfare can be combined with general government.
 - Discussion ensued regarding the act of taking from one department to another.
 - Charlie indicated the way funds are distributed is non binding. He was not sure what the urgency was in reducing the number of articles.
- 23, 24 - both will be left alone
- 25 - needs changed to insert 5% increase number of 3371
- 26 - LRAP - to be determined; 27 - LRAP - to be determined.
Stockpile and winter maintenance in one article and summer maintenance, Flat Ground, paving and reconstruction will be in the second article.
- 29 - Transfer Station is left alone.
- Planning & Development -
- Forestry stipend
- Cemetery - leave alone
- 32 - 51 plus 61 - All the social services will be put together as a list with a total amount
- 52 separate article
- recreation committee is alone
- snowmobile - left alone
- 57 - scratched
- 58 - special project reserve account - reword - all the roads clustered together.
- 59 - Cemetery 10,000
- Shed and playground - moving \$40,000 into reserve account (add in)
- 61 - Fire Department pole - moved to fire department section
- 62 - Transfer Station Engineering scope for new entrance and metal container- \$60,000
- 63 - scratched
- 64 - Town Hall survey \$9,300 - to be reviewed
- 65 - Road Assessment \$20,000. Road Commissioners to review.
Maintaining roads was discussed. RSMS quote needed
- .66 - \$75,000 unassigned fund balance from the Acton School Department - need to clarify where to redirect from.
- 67 - Recessed to Town for voting

D. Warrant & Finance Question - Withdrawn

E. Purchasing Policy

Town Administrator asked for clarification to put something in the competitive pricing section whereas small projects at town rates on Commissioner's side of town the Road Commissioner's can be used.

F. Matt Pepin Land Request

Mr. Pepin approached the Board regarding a 93 acre parcel on site to donate. Land Trust did not accept donation so now wants to offer to the Town of Acton as an open space easement. Mr. Pepin provided a preliminary draft prepared by their attorney. A nice piece of property with wetlands well worth protecting. Across from the goat hill preserve. There are a few technical difficulties.

- Shared right of way; construct a roadway
- Having to revise a permit by rule for a vernal pond there
- Impacting one small wetland
- Access could be provided at a reasonable price for the town.
- Would like the town to consider the offer and he was willing to help

Discussion ensued regarding taxable land, liabilities, costs, etc. The Board will take under advisement.

G. Liquor License Application

- Barn Lights license expires May 31st; public hearing will need to be held to renew their liquor license. Permission to schedule.

H. West Shore Drive Temporary Access Road

- Met with Kittredge and Mr. Roy regarding access road. Will Langley is working on numbers; estimating cost to make road accessible, tree cutting, etc.
- A list of items was given to comply; The Town Administrator read aloud.
- Discussion ensued regarding the list and loss of revenue stipulation.
- Legal Council will draft agreement; part of Special Town Meeting
- Joyce Bakshi - will this affect anyone want to build up there?

I. Roy, Talbot Engagement Letter - to be reviewed and tabled to another meeting

J. Executive Session 405 6 - A - 1 Personnel

Selectmen Stacey-Horn made a motion to go into Executive Session 405 6 A.1 - Personnel; seconded by Selectmen Winchell . All in favor.

Selectmen Stacey-Horn made a motion to come out of Executive Session 405 6 A.1 - Personnel matter; seconded by Selectmen Winchell. All in favor.

10. PUBLIC COMMENT

1. Matt Pepin approached the Board about the Planning Board ordinances surrounding gravel pits. Needs clarity around the language to prevent confusion on whether operators are supposed to be following these new rules.

Selectmen Winchell indicated grandfathered pits can't be told. What we are trying to get done is to have everyone on the same page. The Board oversees the Town of Acton. The Planning Board is upgrading for accountability. Everything stays clean by getting inspections and turning them in.

Mr. Pepin indicated the language is still unclear. There are a few things that could be spelt out more clearly.

Selectmen Winchell stated this is an ongoing process and he was welcome to come to the Town Meeting.

Matt Peping asked why not part of conversations. Town Administrator and CEO explained the process of starting with draft and then the public hearings held where all were welcome.

Discussion ensued with Matt Pepin, Charlie Kaywork , CEO, Board and Town Administrator.

Granted permits specifying conditions would not change in the future.

Two areas whereas this is not correct:

- Operating hours - trying to get everyone on the same playing field. Every pit is different. This may be a major legal hurdle when this is tried.
- Bond
- No other changes

Ordinances were reviewed by legal.

11. PENDING

12. ANNOUNCEMENTS

05/02/2023 Election - School Budget 8am - 8pm
05/03/2023 Select Board 6pm
05/04/2023 Planning Board 6pm
05/08/2023 CIC 5pm
05/08/2023 W/F 6pm
05/10/2023 Select Board 6pm
05/15/2023 W/F 6pm
05/17/2023 Select Board 6pm
05/18/2023 Planning Board 6pm
05/24/2023 Select Board 6pm
05/31/2023 Select Board 6pm

13. MEMBERS PRESENT

Selectmen Tom McGurty, Selectmen David Winchell, Selectmen Kimberly Stacey-Horn, Town Administrator Jennifer Roux

14. ATTENDANCE: Joyce Bakshi, Dennis Long, Charles Kaywork, Matt Pepin, Virginia Deboer, Robin Ham, Joe Ruma, Phil Curuso, Denise Bowden