

**TOWN OF ACTON SELECTMEN'S MEETING**  
**December 22, 2021**  
**6:00pm**

1. **CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**
2. **TOWN ADMINISTRATOR WEEKLY UPDATE** - None
3. **WARRANTS/BILLS** - Signed
4. **APPROVAL OF AGENDA**

**Motion made by Selectmen Kimberly Stacey–Horn to approve the agenda; seconded by Selectmen Tom McGurty. No discussion. All in favor.**

5. **MINUTES OF LAST MEETING** - TABLED
6. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES** –
  - Jason Sevigny and Christopher Whitman -

The Town Administrator read aloud a statement from Jason Sevigny, Code Enforcement Officer, giving an update on the Planning Board. There have been some ongoing concerns from the Planning Board Chair, Planning Board members, and the Land Use Department concerning the growth of gravel pits in Acton, especially on H Road. The Land Use Department, as well as the Clerk's Office, have received an abundance of concerns from the residents of Acton. These concerns revolve around the conditional uses of existing gravel pits, extraction areas, heavy equipment and commercial truck traffic as well as what the extraction areas might be doing to Acton's landscape.

At this time, the Planning Board and Land Use Department would like the Board of Selectmen to consider holding a Special Town Meeting for the residents of Acton. This meeting would be held so that the residents could be presented with the option to vote on a moratorium to temporarily suspend any immediate growth of new extraction areas and gravel pits in the area. The time given by the moratorium would allow the Planning Board the time to review land uses and zoning for commercial extraction areas in the Town of Acton so that it can be assured that these areas can sustain the amount of excavation and truck traffic for future growth. This is a time sensitive matter and the Planning Board looks forward to the Selectmen's approval to hold a Special Town Meeting concerning the moratorium.

The Town Administrator noted that Mr. Sevigny was looking for approval before spending time and resources, before drafting a moratorium to be considered.

Mr. Broder approached the Board and indicated there have been many people coming forward to Board members expressing concerns of safety and serious harm regarding pits.

Mr. Broder continued that according to Title 30A subsection 4356, the maximum time period adopted for a moratorium was 180 days; after that it can be extended by another vote. Mr. Broder expressed that it was important that people understand that there are legal standards to be followed when putting a moratorium in place.

The Planning Board can't do anything if another gravel pit comes before it for approval and conditions are met. The moratorium will allow a voice on future endeavors.

Selectmen David Winchell Jr. summed up the conversations and noted this is the time to correct some of the ordinances for new pits moving forward; this does not affect those already established. Public Hearings will be held for input on zoning and ordinance changes.

The Board agreed it was in the Town's best interest to do this right away. The Planning Board does have some work to do to prepare the moratorium. January 6, 2022 is the next Planning Board's meeting, but they are welcome to call one sooner to get an official vote and then instruct the Land Use Department to start pulling moratorium examples from other Towns to assist with drafting Acton's moratorium.

The Planning Board would write the moratorium. The draft would then need to go through the Board of Selectmen's Office, the Finance Committee review for recommendations, and the Town's Attorney's review.

Selectmen McGurty asked if there were any pending requests. The response was no, but if there were, they would be grandfathered.

The Select Board pointed out that to their knowledge each pit in Town had different start times, conditional uses, etc. and that some consistency going forward would be better for all. Overall the Board supports this effort and approves the Planning Board going to vote and will support what is decided there. The Planning Board will discuss timing for Special Town meeting on their next agenda. No public hearing will be needed as an open town meeting is a public hearing. Discussion ensued regarding a moratorium to carry through to June's town meeting and adjust that for April.

7. **OLD BUSINESS - NONE**

8. **NEW BUSINESS:**

A. Appointments -

a. Crystal Andrews – Rec Committee

**Motion was made by Kimberly Stacey-Horn to appoint Crystal Andrews as a Rec Committee member effective until 6/30/22; seconded by Tom McGurty. All in favor. Motion carried.**

b. Michael Demers – Deputy Code Officer and Deputy Local Plumbing Inspector

**Motion was made by David Winchell Jr. to appoint Michael Demers as the**

**Deputy Code Officer and Deputy Local Plumbing Inspector effective until 6/30/22; seconded by Tom McGurty. All in favor. Motion carried.**

- c. Kenneth Allen – Cemetery Committee Member  
**Motion was made by Tom McGurty to appoint Kenneth Allen as a Cemetery Committee member effective until 6/30/22; seconded by Selectmen David Winchell Jr. All in favor. Motion carried.**
- d. Joseph Ruma – Warrant & Finance Committee member  
**Motion was made by Selectmen Tom McGurty to appoint Joseph Ruma as a Warrant & Finance Committee member effective until 6/30/23; seconded by Selectmen David Winchell Jr. Motion carried.**

#### **B. Liaisons -**

The Town Administrator, as a follow up to elections, assigned Selectmen Tom McGurty the liaison roles that were held by Selectmen Ed Walsh for the following committees: School Department, Land Use Department and Recreation Committee. This was a time for the Board to review and determine if they were interested in changing the assigned roles or not. Selectmen McGurty asked how frequently these are rotated. Town Administrator responded, “Yearly.”

Selectmen McGurty agreed to assume Selectmen Ed Walsh’s roles; the Board agreed not to change any roles at this time.

#### **C. Policies-**

The Town Administrator noted that moving forward, she would bring forth policies each week to be reviewed by the Board as this should be done on a yearly basis.

- Personnel Policy –  
Minor changes are indicated by the mark ups. However, the Town Administrator noted that the last section, (Section 20), should be looked at thoroughly as there are recommended changes from the Treasurer and Town Clerk for consideration and should be reviewed in depth. The Town Administrator also noted that Council reviews all changes before policies are finalized.
- Abatement Policy -  
Even though the Board are the Town’s Assessors by title, this task is outsourced to O’Donnell & Associates. This policy has been sent to O’Donnells for review, changes, and recommendations to the Board. The numbers listed inside the policy are those from the state statutes. Changes if any will be presented to the Board next week.

- Abuse and Molestation Policy –  
This policy is required by the Town’s insurance carrier and is put into place specifically for the Rec. Committee and Volunteers. The Town Administrator provided it to the Board to review for next week.

Training is provided to all department heads and background checks are done on all volunteers. Selectmen McGurty asked if official classes would need to be taken by the volunteers and committee members; Selectmen David Winchell Jr. and Selectmen Kimberly Stacey-Horn due to the amount of time asked of volunteers and committee members, disagreed and stated it could be a deterrent.

- Acceptance and Credit card Policy –  
The Town Administrator informed the Board that there have been no changes to this policy since 21019 and that the handling fee of 2.5% listed is generated from INFORME. The purpose of this policy is to let people know the Town doesn’t accept credit cards over the telephone except in special instances whereas the Town Clerk can handle this on a case by case basis.

**9. PUBLIC COMMENT**

Selectmen David Winchell welcomed aboard the new Videographer.

**10. ANNOUNCEMENTS**

12/29/2021 - Board of Selectmen 6:00 pm

**11. MEMBERS PRESENT**

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

**12. ATTENDANCE**

Deb Lopez, Ramiro Lopez, Adam Doliber, Robin Ham, Will Langley, Dennis Long, Joyce Bakshi, Rollin Waterhouse, Joseph Ruma, Christopher Whitman, and Bernard Broader.