

**SELECTMEN'S MEETING
TOWN OF ACTON
July 23, 2015
6:00pm**

SALUTE TO THE FLAG

1. APPROVAL OF AGENDA

Bill Shields made a motion to approve the agenda as presented, seconded by Ed Walsh. All in favor; motion carried.

2. APPROVAL OF MINUTES OF LAST MEETING:

Bill Shields made a motion to approve the minutes from July 16th, 2015 as presented, seconded by Ed Walsh. All in favor; motion carried.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

A. Office Manager Discussions

Special Town Meeting: Mrs. Roux noted that the Board has discussed several issues to present at a special town meeting in August: acceptance of money from the school, funding for an additional position at the school, a Solid Waste Ordinance, a Fire and Rescue Ordinance, proposed amendments to the Zoning Ordinance and the Code Enforcement salary. She stated that only the proposed Zoning Ordinance amendments require holding a public hearing, which has been scheduled by Planning Board members on August 6th. Therefore, in accordance with the Zoning Ordinance, that issue can be addressed thirty days after that hearing or after September 6th. She advised that if Board Members want to include any of the remaining questions on the warrant at a special town meeting, probably August 13th, prior to the commitment of taxes, recommendations must be made immediately and sent to the Warrant and Finance Committee for review and recommendations and signed at next week's Board meeting. Mr. Kryzak stated that the two questions relative to the school should definitely be included. Mrs. Roux's recommended warrants is:

1. Choose a moderator;
2. Appropriate \$68,865 from the School's Undesignated Funds to offset taxes; Consensus of the Board was to include this article on the warrant.
3. Transfer \$60,000 from the School's Undesignated Funds to fund a pre-K teaching position; Board Members agreed to include this article on the warrant.
4. Transfer and appropriate \$3419 from the Town's Undesignated Funds to cover unanticipated wages taxes in the Code Enforcement Department.
5. The Fire and Rescue Ordinance could be included but Mr. Gore, member of the Warrant and Finance Committee expressed concern that the time frame does not allow much time for the Committee to review the Ordinance.

When asked by Mr. Walsh if he thought the Warrant and Finance committee would have an issue with the timeline as discussed so far, Mr. Gore responded that he thought the money articles could be addressed easily but new Ordinances sometimes take longer to consider.

Motion by Mr. Shields, seconded by Mr. Walsh, to hold a Special Town Meeting on August 20th at 7:00 p.m. to consider articles one through four as presented. The motion carried.

4. OLD BUSINESS:

Little Red School House: Mr. Lenkowski noted that the Comprehensive Plan allows for and expects provisions to be made for the preservation and protection of the town's historical resources in the Zoning Ordinance. However, his opinion is that there are "fatal flaws" in the proposed amendment as written. He offered to confer with Mr. Gore, Ms. Barrows or anyone concerned with the article free of charge with the goal to address the petitioners' concerns and smooth out the language that he feels is in controversy with the Comprehensive Plan.

Mr. Lenkowski outlined the concerns he has with the proposed Ordinance amendment, specifically the definition of historical resources. He stated that Section Five summarizes that while it acknowledges that many historical assets exist in Acton, they have not been surveyed nor chronicled. Chapter Nine contains a series of recommendations on what should be done, most importantly to the existing issue is to identify the historical assets, make a determination of where they are, what they are and what is needed to protect them. Mr. Lenkowski stated that his concern with the proposed amendment is that there must be an ascertainable standard, distinct criteria to determine what is historical.

The Board Chairman noted that the petitioners have two options: to proceed with a special town meeting to address the proposed amendment or to accept Mr. Lenkowski's offer to work together to draft a proposal that would be more inline with the intention of the Comprehensive Plan.

Sand and Salt Shed: Mrs. Roux reminded the Board that they were looking for updates from TBT Construction and RUBB Buildings.

RUBB Buildings' original bid was \$491,390 including all site work, asphalt and foundation, which would be reduced by \$100,000 if the town did the site work and \$40,000 if the foundation and asphalt is omitted. The adjusted bid would be \$351,290. This bid includes a five-year warranty. The building is a 120' x 82' metal frame, with rubber interior and exterior coating on a full foundation.

TBT Construction' original bid was \$433,700 with the town doing all site work, foundation and asphalt, offering a one-year warranty. The bid is on a 80' x 126' full structure, metal shield, wood interior arches building on a full foundation.

Chairman Kryzak read the recommendation of Bill Lotz, a local engineer who donated his services to the Town to review both bids. After careful consideration, for a variety of reasons noted, Mr. Lotz recommended the Town proceed with RUBB.

Road Commissioners, Mr. Mooney and Mr. Winchell, recommended that the Selectmen award the contract to TBT Construction.

Mr. Kryzak asked if \$60,000 would be sufficient to do the site work, etc. that will be the town's responsibility. Mr. Winchell stated that the test holes on the perimeter of the property tested good and a building location has been identified as virgin soil and there is material available on site eliminating trucking materials from other sites, so there are opportunities to save money.

Motion by Mr. Walsh, seconded by Mr. Shields, to award the contract to TBT Construction based on the Road Commissioners' recommendation contingent on the verification of insurance. Mr. Walsh stated that he has more confidence in the metal building, concerned that if the rubber building is punctured, it would be costly to repair. Motion carried.

Meeting Schedule: After discussion of all the demands on the Office Manager to prepare for Board meetings and to make certain that all issues are addressed in a timely manner, it was decided to begin meetings at 5:00 beginning the next meeting.

CEO Pay and Job Description Follow up: Motion by Mr. Walsh, seconded by Mr. Shields, to move \$13,390 from the Deputy CEO line and \$3100 from the Planning Board line. The motion carried.

The CEO job description will be addressed at the meeting of July 30th.

Fire and Rescue Ordinance: The draft will be reviewed at the meeting of July 30th. Mr. Kryzak stated that if possible, he would like to see this ordinance on the Special Town meeting warrant on August 20th so that the employees can begin working as soon as possible so that the building is fully manned.

Special Town Meeting: August 20th at 6:00 p.m.

Solid Waste Ordinance: Mr. Neal submitted an updated version. Consensus of Board Members was that this Ordinance will be included on the warrant at the August 20th Special Town Meeting.

Library Ramp: The Office Manager noted that there is a large hole in the ramp of the Library Building. Mr. Paul's estimate is that rebuilding the ramp would be about \$5,000. Mr. Kryzak suggested repairing the damage with in-house resources and considering including a rebuild to match the rest of the front of the building on next year's warrant. Selectmen authorized the Office Manager to reach out to Road Commissioner employees to do some maintenance work on the ramp.

Saturday, July 25th: There are multiple meetings in the building. Mr. Kryzak volunteered to unlock the door for the upstairs meeting at 10:00 a.m. Mr. Shields and Walsh will be at the Eagle Road Road Association meeting in the lower level meeting room so they will unlock the door at 8:30 a.m.

Paper: The yearly delivery was made downstairs in the conference room. The Office Manager requests help in getting that paper upstairs. Selectmen authorized the Office Manager to reach out to Road Commissioner employees to move the paper upstairs.

Scheduled Audit: The Town Hall will be audited on July 29th through the 31st.

Conservation Committee: Mr. Walsh is the liaison to this Committee. The Office Manager requests that he contact the committee members to determine if they will continue mowing. Mrs. Roux requested authority to check with MMA regarding amending the contract. Mr. Ham stated that he would be interested in mowing the sites that he was responsible for before for \$300. The Office Manager will provide a list of sites at the next meeting. Mr. Neal noted that the original \$2500 was also intended for repair.

Heathcote LLC has an outstanding liquor license application with the Town. Mrs. Roux will forward a certified letter to determine what their intent is as they have not replied to the last few correspondents.

Abatements: Mr. Shields made the motion to sign the abatements as presented for 232-006; seconded by Mr. Walsh. The motion carried.

The Office Manager requested that the time of adjournment be noted when the motion is made.

5. NEW BUSINESS: N/A

6. OTHER BUSINESS:

Proposed amendments to the Zoning Ordinance: Mr. Venell as liaison to the Planning Board stated that the Planning Board members are concerned how the article will be worded. Ms. Roux stated that Mr. Paul is working on a suggested article that will be available at the next meeting.

7. ANNOUNCEMENTS:

Shapleigh Community Days events begin on Friday, July 24th, a bean supper at the Shapleigh First Baptist Church at 4:00 p.m. with live music. A Homemade Dessert / Pie Contest on Saturday offering cash prizes and gift certificates, a 5K run, etc.

8. MEMBERS PRESENT: Ted Kryzak, Bill Shields, Ed Walsh

9. OTHERS PRESENT: Ken Paul, Chip Vennell, Tom Gore, Dale Barrows, Robin Ham, Dick Neal, Jennifer Roux, and representatives from both RUBB and TPD Construction.

10. ADJOURNMENT:

Mr. Walsh made a motion to adjourn at 7:44 p.m.; seconded by Mr. Shields. All in favor, meeting adjourned.