

SELECTMEN'S MEETING
November 12, 2020
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- The Town Administrator recapped the Elections for the Board; there were 1653 people who voted in Acton and 54 new voter registrations on Election Day. The Town Administrator and Board thanked all the Election workers for their dedication and hard work.
- The new ballot drop box will be transformed into a collection box for other items at the Town Hall when not in use for elections. An updated look will be forth coming.
- The Town Administrator discussed with the Board and confirmed the Town Hall Office closures for the upcoming holidays:
 - Thanksgiving: Thursday, November 26, 2020 – Holiday (Paid)
 - Day after Thanksgiving: Friday, November 27, 2020 – Extended Holiday (Non exempt employees use PTO or not paid.)
 - Christmas Eve.: Thursday, December 24, 2020 - Extended Holiday (Non exempt employees use PTO or not paid.)
 - Christmas: Friday, December 25, 2020 – Holiday (Paid)
 - New Year's Eve: Thursday, December 31, 2020 – Town Administrator and Treasurer recommend the office work this as it is yearend closures. Board discussed and asked the Town Administrator to decide after staff input.
 - New Year's Day, Friday, January 1, 2020 – Holiday (Paid)
- Recreation Committee – The Town Administrator announced that a newly formed Recreation Committee will be meeting on Friday, November 13, 2020 at 5 pm and she will be in attendance to help initiate the committee. Their first items of business are electing a Chair and working on the Tree Lighting to occur in 2 weeks.
- ServePro came in and cleaned the offices as expected. Carpets were then cleaned on Saturday. More discussion to be held further down on the agenda, the Town Hall has a rodent problem.
- Boston Post Cane – The Boston Post Cane presentation has been scheduled for Saturday, November 21, 2020 at 12:30 pm. Recipient will be notified and permitted to invite a given number of participants due to COVID protocols in place. In attendance will be invitees only. The event will be taped to be shared.
- The Treasurer provided an email of updates for the Board to review. The Treasurer has been scheduled to attend the Selectmen's meeting on November 25, 2020 and will be included in an Executive Session regarding Worker Comp. Items listed on the update were:
 - There is a new Maine law regarding paid leave and how it affects banked hours.
 - Sanford's reimbursement of Dam funds and an increase mid budget season which is burdensome on the people. After discussion, the Board agreed to take the Town Administrator and Treasurer's recommendation to wait on paying the increase for the next budget instead of utilizing emergency funds.
 - Pandemic policy is on the agenda.
 - Minimum Wage is going up 2%.
 - Reimbursing the Road Account. Now that the Road Commissioners are independent contractors, the money is being pulled from Worker's Comp and insurances at a certain line; the Treasurer wants to see it cleaned up. Next there were discussions regarding

having a workshop with the Road Commissioners, however, it will be made an agenda item and the Road Commissioners will be asked to come in on 11/25/2020 to discuss.

- Audit Report – there are copies in the Selectmen’s box and has been placed on the Town’s website.
 - Undesignated fund balance is up to 1.6, so as budget season approaches, the auditors have always recommended based on our 3 months worth of bills (it’s 1.2), so the Board is going to have some money that can be moved forward to offset taxes.
 - It is time for the Town to consider a reevaluation as the last reevaluation was done in 2006 (14 years ago). O’Donnel’s indicated new evaluations are being scheduled for 2023; this will allow the Town time to save for this undertaking.
 - Housekeeping items will be addressed on 11/25/2020.
 - Gym Shutdown – Selectman Ed Walsh indicated he was taking care of the shut down and the last step was to get some nontoxic antifreeze for the system from Springvale Hardware but wanted to make sure he could put it on the Town’s account. There should not be any more oil deliveries.
 - Building Maintenance Budget was reviewed with the Board based on the pandemic and cleanings the Treasurer wanted to remind the Board to keep an eye on it as it is coming down. Current balance is \$18,900 and when all items budgeted for are taking into consideration that number will be about \$7,900; that’s one furnace away from a Special Town Meeting.
- The Town Administrator showed the Board thank you letters that were received from Social Services recipients.
 - The Town Administrator updated the Board that the Town Report will be out next week and there were only 100 copies ordered.
 - Canal Bridge – Selectman Kimberly Stacey-Horn asked the Selectmen to catch her up on what she missed last week whereas she was absent. Selectmen Kimberly Stacey-Horn stated she just wanted to pay Wakefield to handle the entire project as she was concerned the elections of the Road Commissioner would change the person in office. The Road Commissioner was to reach out to the DEP and work on permits and come up with numbers on what the project would cost. These would be presented to W&F and/or people at Special Town Meeting. Selectmen David Winchell stated that the Town was in no position to start anything on this project until Town meeting and elections. The Town would have more oversight on the work. Discussion ensued. Selectmen Kimberly Stacey-Horn stated she was good and would have her questions for when they meet with the Road Commissioners on November 25, 2020.

3. WARRANTS/BILLS - Signed

4. APPROVAL OF AGENDA

Selectmen Ed Walsh made a motion to approve the agenda with the swapping of Item A. and B. under New Business; seconded by Selectmen David Winchell. No discussion. All in favor.

5. MINUTES OF LAST MEETING

Selectmen David Winchell made a motion to approve the October 28th minutes as written; seconded by Selectmen Ed Walsh. No discussion. All in favor. Selectman Kimberly Stacey-Horn abstained as she was absent.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

- Will Langley, District 1 Road Commissioner updated the Board that 1250 yards of Sand had been put up; Salt came in today, so the Town is all set for winter. Tuesday there was a snow and ice management class from which he took a lot of good stuff away from it. Some can be considered around budget time when those discussions open.
- Leslie Berlan, Road Committee Chair updated the Board that they had a seminar class and while the instructor was here (Paul) she asked him about spoke RSMS and told him they were having some difficulty maneuvering through the program. He is very familiar with it and he's happy to come in and provide training in early December.

7. OLD BUSINESS

A. Article 43 Application Form

The Town Administrator presented a minor change to the application to include a line that would stipulate that a completed I-99s be included in the application submittal even if submitted in the past.

Selectmen Ed Walsh made a motion to approve the Article 43 application as amended; seconded by Selectmen David Winchell. No discussion. All in favor.

An updated copy will be placed on the website and sent to Leslie Berlan, Committee Chair.

B. Award Loan Bid

The Treasurer reviewed all the bids and calculated all fees involved and recommended that the Board award the bid to Kennebunk Savings Bank at 1.49.

Selectmen Ed Walsh made a motion to award the loan proposal of 1.49 to Kennebunk Savings Bank; seconded by Selectmen David Winchell. No discussion. All in favor.

C. Pandemic Policy

The Town Administrator presented the Pandemic policy for the Boards approval. The challenge in writing this policy was keeping up with the Executive Orders released from the Governor, especially due to outside travel restrictions from the CDC and the State.

Selectmen Ed Walsh made a motion to approve the Pandemic policy as written; seconded by Selectmen David Winchell. No discussion. All in favor.

8. NEW BUSINESS

A. Goat Hill, Carl Davis

Mr. Davis presented a sketch to the Board and requested per grant funding compliance the Boards support to expand the parking area at Goat Hill to accommodate Handicap Assessable Vans and parking for 10 spaces. There would be no financial impact to the Town.

Selectmen Dave Winchell made a motion to support Goat Hill for ADA Parking as long as there is no financial impact to the Town; seconded by Selectmen Ed Walsh. No discussion. All in favor.

B. Culvert Grant Application

Mrs. Leslie Berlan approached the Board to explain the grant application the Road Committee put together. The same grant was applied for last year and the culvert size is the same as listed last year (even though it is bigger than what is in place.) Mrs. Berlan explained that grant is offered by the Transportation Bond and is for Stream Crossing.

Currently there is a 10.5' diameter round culvert in place and the proposed replacement is 8' x 16' box culvert. Slip lining is not an option as permitting will not go through. The State is offering \$125,000 in its year's grant; proposed costs to replace culvert is \$200,000 leaving the Town with a responsibility to cover \$75,000. There are 125 homes at risk if the culvert fails.

It was noted that if the Board agreed to sign the application, the appropriation of funds would need to be placed on a warrant article for the Town to accept.

When asked if the culvert can be replaced with the same culvert, there were varying opinions. Mrs. Berlan and Mr. Langley were of the opinion that no permits would be given to replace the culvert with exactly the same culvert that was currently in place, whereas Selectmen David Winchell thought there was an exemption as he was previously told he could replace with the same as long as it did not exceed 30%.

Inland Fisheries was in agreement that the culvert needed to be replaced and this replacement was about the wildlife and fish.

The Board countered that they had received a large amount of emails indicating the abutting property owners did not agree with this culvert change. A valid point being that the home owners and abutters have not been notified and to them the issue impedes their properties. Selectmen David Winchell indicated the Board needs to do a bit of homework, research and contact the homeowners and review impeding on that easement.

Mrs. Berlan reminded the Board that while the grant was open, there was no contact with the DEP to ask any questions. Once Monday occurs and the grant is closed the Committee would be able to ask the questions the Board is asking.

The Town Administrator asked if the grant is available every year. The answer was they did not know. It has been for 2 years but there is no precedence.

Mrs. Berlan indicated that if the Road Committee doesn't apply then they don't get it. If they do apply and get it, it does not need to be accepted, it would then go back to next recipient in line. No one would lose out.

Selectmen David Winchell indicated he was not worried about the costs but by going forward, too many steps were missed that should have been done and that made him worry about the legalities.

Selectmen Kimberly Stacey-Horn agreed that the board needs to go to the Town's people and ask their opinions. With the response the Board received in the last 24 hours, Selectmen David Winchell indicated that the Board wanted to make sure it had all their ducks in order.

Be it understood, the State did not approach Acton. There is misleading information out there.

More discussion ensued regarding the cited comments being repeated. In summary, it was a great idea. Intentions were great. A job this big must be spoken to about with the property owners and the easements need to be checked. Worst case scenario is the Town foots the bill to replace the culvert.

Leslie Berlan indicated once the grant process closes the Committee can go back and ask what bear minimums need to be met.

A motion was made by Selectmen Ed Walsh that the Board of Selectmen not sign the grant application at this time; seconded by Selectmen David Winchell. Vote 2 -1 (Stacey-Horn).

It was asked from the public that when the Board does any work or have any communications on preceding forward the property owners be contacted. The Board and Town Administrator agreed.

C. Rabies Clinic

The Town Administrator presented an idea to the Board for approval that the Animal Control officer, Jim Driscoll came up with to hold a Rabies Clinic at the Town Hall in the parking lot. This would benefit the Town in the fact that dogs can be registered the same day. This program will also take care of cats. An outline of the program is outlined to look like:

- Check with Vet for availability – Date to be determined
- Organize event
- Run staging stations
- Allow 1 or 2 out of cars at a time
- Agree to shot fee
- Animal gets shot
- Fee is paid
- COVID protocols will be in place.
- Register animal if need be.

The Board agreed. The Animal Control Officer will reach out to the local Acton Vet to arrange. The Town Administrator also informed the Animal Control Officer in his rounds that if he determined someone was in need and could not afford, Neighbors Helping Neighbors could financially help out.

On an additional note, the Animal Control Officer asked if he could transport animals for the elderly to the clinic. The Board agreed it was a wonderful service. The Town Administrator will reach out and get an opinion.

The Town Administrator and Board commended the Animal Control Officer on the work he does for the Town.

D. Modern Pest Services

The Town Administrator informed the Board that when Modern Pest Control was in to do their review, it was determined the Town Hall has a lady bug and mice problem and presented a contract from Modern Pest Services to eradicate the pests. The Board reviewed.

A motion was made by Selectmen Ed Walsh to sign the Pest Control contract for \$1868.94; seconded by Selectmen Dave Winchell. No discussion. All in favor.

E. Compactor Rate

District 2 Road Commissioner Adam Doliber has a compactor to use for maintaining roads in Acton. The Town needed to consider a rate for this compactor. The Treasurer reached out to Shapleigh (who also uses state rates) to determine an appropriate rate of \$45/hour without operator. Operator rate is \$27.01/hour.

A motion was made by Selectmen Dave Winchell to accept the rate of \$45/hour be assigned to the compactor; seconded by Selectmen Ed Walsh. No discussion. All in favor.

F. Pole Permit

The Town Administrator presented pole permit from CMP to place 4 new poles at the Sam Page/H Road intersection.

A motion was made by Selectmen Ed Walsh to sign the CMP Pole Permit; seconded by Selectmen David Winchell. No discussion. All in favor.

On a side note, the Town Administrator informed the Board that the derogatory sign which was placed on a utility pole near New Bridge Road was removed. However, it is back and now located on privately owned property. Due to Freedom of Speech, the Town has no authority to pursue.

G. FOI Request - Charles Crespi

The Town Administrator informed the Board that a FOI request was received from Mr. Charles Crespi regarding the Martel Estate dated 11/5.

H. Executive Session Pursuant to 405 6A-1 Personnel Matter

The Town Administrator asked this item be tabled and moved to Wednesday, November 18, 2020.

9. PUBLIC COMMENT:

- Kimberly Stacey-Horn congratulated Katelyn Long (Videographer) for being awarded Sanford's Student of the month.
- Richard Leary approached the Board to thank them for taking the time to review and considerations of what the property owners had to say.
- Mike Long approached the Board to comment that there were two recent Planning Board meetings not filmed. The Town Administrator commented that the APAT Director has notified the Town about missing November 5th. It was a schedule mistake, but they were not aware of another. The Town Administrator will check into this. All department heads were reminded that there is no camera present close to the time the meeting is going to start they too can reach out and get someone in to film as most Videographers live close by.
- Ed Walsh commented that he followed up with a question proposed to him regarding two old generators owned by the Town. The first generator is being utilized by the school. Both he and the Town Administrator confirmed the second generator is still in storage where it was originally placed and the owner would be happy to see it removed. Selectmen Walsh is

looking into the options available for the Town to use or sell.

10. ANNOUNCEMENTS:

- Recreation Committee meeting, Friday, November 13, 2020 at 5 pm.
- Boston Post Cane Presentation, Saturday, November 21, 2020 at 12:30 pm.

11. MEMBERS PRESENT

Selectmen Kimberly Stacey-Horn, Selectmen Ed Walsh, Selectmen David Winchell and Town Administrator Jennifer Roux.

12. ATTENDANCE

Leslie Berlan, Jim Driscoll, William Langley, Mike Long, Edward Woods, Lori Woods, Richard Leary, Elias Thomas, Leanne Long, Lee Robetor, Robin Ham, Thomas McGurty, Heather Beaupre, Carl Davis, Geri Waitt, Dan Waitt, Katelyn Long and Cheryl Drisko.

A motion was made by Selectmen Ed Walsh to adjourn at 7:40 pm; seconded by Selectmen Dave Winchell. All in favor.