

**SELECTMEN'S MEETING**  
**October 7, 2020**  
**6:00pm**

**1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**

**2. TOWN ADMINISTRATOR WEEKLY UPDATE**

- MMA Insurance/Guardrail – The accident owner was tracked down and their insurance will be covering the expenses.
- Calls have been received concerning an issue on Hopper Road. The District 1 Road Commissioner is taken care of this issue.
- Little Red School – Received calls and cones have been put up for awareness until issue can be handled.
- Maplestone Volunteers – Maplestone has 3 or 4 students looking to volunteer in the community. Ideas are needed. The policy for volunteers at the Town are 18 years and older. The Board thought these students could help the elderly in Town, volunteer during the Mary Grant Pumpkin event, etc. If the Board has any other suggestions or ideas, they will be passed along to Town Administrator and then Maplestone. The Town Administrator will consider placing a notice on cable or advertising with notices.
- The Town Administrator along with staff have worked daily, including Saturdays and Sundays to process up to 500 absentee ballots currently (doing 20 to 30 per day); all have been mailed. November 3, 2020 is Election Day and the Town Administrator asked the Board's support to close the office for all business except elections. Due to rank choice processing of ballots and she and her two (2) Assistants will be working the entire day until very late the Town Administrator asked that she be permitted to delay Town Hall's opening on Wednesday, November 4<sup>th</sup> until Noon and for the Board of Selectmen to change their meeting date to Thursday, November 5<sup>th</sup> instead of cancelling because Wednesday, November 11, 2020 is a holiday and the Board will not be meeting that night.
- Monday, October 12, 2020 is a State Holiday and the Transfer Station is closed. Town Hall is closed as well; staff that is regularly scheduled to work that day will be paid for their regular hours. Payroll deadlines will be Noon time on Tuesday, October 13, 2020.
- There will be a Mary Grant Workshop on October 17, 2020 at 10 am to go over pumpkin carving. The workshop will be filmed by APAT as it is a public meeting.
- The Town Administrator asked the Board to adopt an in house policy whereas all items to be placed on the agenda from Department Heads and Committee Chairs deadline will be Tuesdays at Noon; emergencies will be the exception.
- Oldest resident – Discussion ensued on how to do the presentation for the Town's oldest resident. The Board asked if an insider to go to the individual and broadcast up to Town Hall meeting. The Town Administrator will confirm who that resident is and a plan will be made for a safe presentation at the end of the month.
- Code Enforcement has changed their work set up which required cable, phones and cameras to be moved. A window has been installed. The cable and phones have been completed and cameras are scheduled to be moved.
- Plexiglass – Due to the continuation of COVID protocols, plexiglass will be installed over the second Town Hall counter window so that window can be opened safely; Code may also require plexiglass to be set in the new configuration too.

- The Wakefield Selectmen will be on the Board of Selectmen’s meeting agenda October 14, 2020 and York County Watershed will be on the October 21, 2020 agenda.
- Tree Lighting – Ideas for the tree lighting will be presented to the Board on October 14, 2020.
- Legal is working through questions proposed about the Gym and may have a way to remove the liability issues and will put forth in next couple weeks.
- Subdivision attorneys have filed corrective deed paperwork was provided to sign; this takes the land back. Our attorney’s are reviewing and then the Board will be permitted to sign.
- LRAP submittal was due October 1, 2020. The Town Administrator asked if the Board wanted to wait on the new District 2 Road Commissioner or give to District 1 Road Commissioner William Langley to take care of? Response was to ask Mr. Langley to complete the submittal. Mr. Langley confirmed he would do the next day.

**3. WARRANTS/BILLS**

**4. APPROVAL OF AGENDA**

**A motion was made by Selectmen Ed Walsh approve the agenda as written; seconded by Selectmen David Winchell. No discussion. All in favor.**

**5. MINUTES OF LAST MEETING**

**A motion was made by Selectmen David Winchell to approve the September 23, 2020 minutes as written; seconded by Selectmen Ed Walsh. No discussion. All in favor.**

**6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES - None**

**7. OLD BUSINESS**

**A. Pandemic Policy**

The Treasurer sent an email regarding the details of this policy to the Board. MMA recommends a policy be put into place. The Board will review; tabled until next week.

**B. Citizen's Petition**

The Town Administrator clarified for the Board that the petition brought before the Board was cited under statute 2522 – open Town meeting and read out a document from legal citing their opinion.

Mr. Jeff Donahue approached the Board to read to them from the MMA manual a section of instruction he felt his petition fell under. Due to COVID, it is understood that the petition can’t be changed, but asked for some consideration. Mr. Donahue cited a Notary call. The Town Administrator reviewed the timeline as the days were very tight. Mr. Donahue tried to convince the Board to do now. Signatures have been certified and if the Board so chooses, they have the right to put it on a warrant and authorize it to be done by statute 2528 – Secret Ballot.

Mr. Donahue was asked for consideration and he was willing to go back out and get more signatures. He was not happy about the amount of time this process has taken. Discussion ensued regarding number of days and the process work to get to that point. Legal advice was sought. Days to schedule were tight. Mr. Donahue insisted that the people want it done this year. No one is questioning that the people want it to be voted on. Mr. Donahue continued to explain his position

regarding this petition at length. Legal was sought to confirm that the petition was a legal document was standard procedure and how was the Board going to enforce if the voters passed it. Discussion took place regarding which roads were maintained by the Town versus the State.

Mr. Donahue tried to explain the truck drivers would be responsible to enforce. When Selectmen David Winchell recapped Mr. Donahue's commentary on how the ordinance would be enforced, Mr. Donahue argued that he wasn't laying it on the Road Commissioner but the Board. Actually, Mr. Donahue continued by pointing to the Fire Chief, he was going to lay it on him as he was in charge in the winter time. The Board stated the Fire Chief had nothing to do with this.

Mr. Donahue continued to talk over Selectmen David Winchell who was speaking for the Board regarding the topic at hand. These tasks can't be done because the guys are out taking care of the roads at 1:00 am. Mr. Donahue's comments kept escalating over top of Selectmen David Winchell who was expressing a point that enforcement of this petition was an issue. Mixes would need to have test analysis run and computers installed into trucks to monitor and keep track. Then on top of that, the DEP has different standards. This just can't be enforced. The scene continued to escalate and the Chairman stepped in. First Mr. Donahue was asked to stop and then when he did not, he was asked to leave due to his inappropriate language. Mr. Donahue unwillingly left the building, yelling comments laced with profanity as he was departing.

Selectmen Ed Walsh apologized to the public. Selectmen Kimberly Stacey Horn continued that this is something the Board has looked and they are not against it. They need more time to figure it out. Meetings are needed to consider how to enforce it. The Town Administrator reminded the Board of conversations with the road Commissioner the previous week regarding the wells and the lawyer stated it is whatever the people want.

Selectmen David Winchell indicated this is a big deal. There needs to be meetings to educate the citizens. The Maine DEP/DOT tells towns not to put sand on the road and Acton does the opposite. By trying to slide this through the Town of Acton doesn't understand the ramifications.

The Board recapped that what they are putting before the people is legal. They are not dragging their feet but wants to make sure all things are covered. They are following the right process. The final decision is up to the Town's people but there will be costs. An open meeting will permit Town's people to have their say. The Board would need to inform and educate the Town's people through workshops and public hearings. It is clear that some of those who originally signed the petition had no inclination of ramifications and have said so.

The Fire Chief approached the Board to comment that when Mr. Donahue called out that the Fire Chief can override this edict; Mr. Donahue was a bit confused on the Fire Chief's role. The Fire Chief only comes into play to mitigate if there is a State of Emergency.

In summary, there are a lot of pieces to be considered regarding this petition. The Board of Selectmen did not want to rush the process. They do want to have open meetings to educate the public and hear what the residents have to say. The Board will abide by Mr. Donahue's request to have the petition on the next open Town meeting (currently scheduled for next June).

**Selectmen David Winchell made a motion to grant the applicant's petition to be inserted on the next regular scheduled open Town meeting pursuant to Title 30-A §2522; seconded by Selectmen Ed Walsh. No further discussion. All in favor.**

The Town Administrator will ask legal now that a motion has been made and seconded to place on next regularly scheduled Town meeting if the call for Notary process is now negated.

C. Planning Board Meetings / APAT

APAT's response regarding some issues with filming of Planning Board meeting was forwarded to resident with concerns.

## **8. NEW BUSINESS**

A. Adopt 2020-2021 General Assistance Maximums

The public hearing was held last week and there were no public comments. The Board needed to approve and adopt the General Assistance Maximums.

**A motion was made by Selectmen David Winchell to adopt the 2020-2021 General Assistance Maximums; seconded by Selectmen Kimberly Stacey-Horn. No discussion. Vote 2 (Ed Walsh abstained as he was absent).**

B. District 1 Road Work Proposals

Road Commissioner Will Langley presented work proposals to repair shoulders on H Road and fix hot top which is broken on Acton Ridge to the Board of Selectmen for approval.

**A motion was made by Selectmen Ed Walsh to approve the District 1 Road Commissioner's projects; seconded by Selectmen David Winchell. No discussion. All in favor.**

Will Langley thanked the Board and then asked if there was any word on the use of the RSMS. The Town Administrator explained that she was still awaiting a response. Mr. Langley indicated he will continue to do what he has been doing.

C. Fire Chief Tanker Presentation

The Fire Chief made a full presentation to the Board regarding the bids received for a new tanker including upgrades to fall within budget allowances and how he arrived at his recommendation to go with Rosenbauer; total amount \$398,403.00.

Selectmen Ed Walsh as liaison recapped discussions with the Fire Chief and his knowledge and experience leading into the deciding on Rosenbauer. Selectmen David Winchell asked about the comparisons and frame style (single frame versus double frame). Discussion ensued regarding chassis, frames, suspension upgrades, materials, undercoatings and maintenance.

**A motion was made by Selectmen Ed Walsh to go with the Fire Chief's recommendation to choose Rosenbauer to furnish the Fire Department Tanker for a**

**total amount not to exceed \$398,403.00; seconded by Selectmen David Winchell. No further discussion. All in favor.**

D. RFP for Loan

Now that the Tanker bid has been awarded and a dollar amount has been determined (\$398,403.00 - \$70,000 = \$328,403 (RFP will be remainder)), bid notices will go out to the banks allowing them to bid on the loan. Deadline for bid submittal is Noon on October 21st. The Board will open that evening at the Board of Selectmen meeting and immediately award that night. The attorney will draft closing documents for November 16<sup>th</sup>.

E. Abatements and Supplements

**A motion was made by Ed Walsh to approve the following tax abatements; seconded by Selectmen Dave Winchell. No discussion. All in favor.**

958	Martel, Sandra	Building was removed prior to 4/1/2020	\$ 270.85	abatement
2766	Whitely, Elliot & Susan	Original tax bill was sent to wrong person	\$ 605.51	abatement
2989	Johnson, Kelley & Joan	Original tax bill was sent to wrong person	\$ 2,751.97	abatement
1007	Pagano, Samantha & Thomas	Original tax bill was sent to wrong person	\$2,481.08	abatement

**A motion was made by Ed Walsh to approve the following tax supplements; seconded by Selectmen Dave Winchell. No discussion. All in favor.**

2766	D'Ercole, Sarah	Original tax bill was sent to wrong person	\$ 605.51	abatement
2989	Full, Ryan T.	Original tax bill was sent to wrong person	\$ 2,751.97	abatement
1007	Vincent, Matthew & Joanne	Original tax bill was sent to wrong person	\$2,481.08	abatement

F. CEO Projector Purchase

The Town Administrator presented the costs for equipment that the CEO wanted to purchase. The projector was \$899 and the screen was \$142. The Treasurer provided an expense summary and balances indicating there was money available.

**A motion was made by Ed Walsh to approve the project purchases for the projector and screen to be upstairs in the Election Hall; seconded by Selectmen Dave Winchell. No discussion. All in favor.**

G. Liquor Applications

The Town Administrator presented a one day liquor license application for Above & Beyond Catering and Bon Ami to the Board for approval.

**A motion was made by Ed Walsh to approve the one day liquor licenses for Above & Beyond Catering and Bon Ami; seconded by Selectmen Dave Winchell. No discussion. All in favor**

H. FOI Request

The Town Administrator notified the Board of the FOI received from Ron Colson regarding Farley files. Receipt of request should be be acknowledged within 2 days of receipt.

I. Dam Coalition

Selectmen Ed Walsh went to the Dam Coalition Zoom meeting and confirmed that the Town will be receiving ~\$4,600 in money back. During the meeting their budget was presented with a \$2,500 increase to add a catwalk system for review but Selectmen Ed Walsh reminded the Coalition that any increase affecting Acton would need to be presented at Town meeting in June. A follow up meeting has not yet been scheduled.

J. Troiano Contract

The Town Administrator presented the Troiano Waste Services contract with a \$50 increase. The Transfer Station Superintendent Bob Mann supports the contract and staying with this company.

**A motion was made by David Winchell to approve the Troiano Waste Services contract; seconded by Selectmen Kimberly Stacey-Horn. No discussion. Selectmen Ed Walsh sustained due to working relationship. All others in favor.**

K. Rec Committee Appointment

Selectmen Ed Walsh read aloud the recreation committee appointment for Carol Ward.

**A motion was made by Selectmen Ed Walsh to appoint Carol Ward to the Recreation Committee until 6/20/2021; seconded by Selectmen David Winchell. No discussion. All in favor.**

9. PUBLIC COMMENT:

- Mr. Rollin Waterhouse approached the Board and asked the Town Administrator to read the petition preamble out again. After that was completed, Mr. Waterhouse commented that the petition contradicted itself in its wording. First stating that salt can't be used and then a salt mix of 20%. Mr. Waterhouse also commented that he did not see this proposed ordinance passing.
- Selectmen Ed Walsh asked if the Board of Selectmen meeting for next week could be moved to 5 pm as he had a conflict. The response was that a meeting time change was not feasible.

L. Executive Session, Personnel 405 - 6.A.1

**A motion was made by Selectmen Ed Walsh to go into Executive Session pursuant to Title 405 (6)(a) personnel at 7:32 pm; seconded by Selectmen Kimberly Stacey-Horn. Selectmen David Winchell abstained and would not be attending the session. No discussion. All others in favor.**

**A motion was made by Selectmen Ed Walsh to come pout of Executive Session pursuant to Title 405 (6)(a) personnel at 7:45 pm; seconded by Selectmen Kimberly**

**Stacey-Horn. Selectmen David Winchell abstained and would not be attending the session. No discussion. All others in favor.**

Selectmen Ed Walsh reported that the Board of Selectmen made a decision on the Road Commissioner. He informed the public that Selectmen David Winchell reclused himself from all interviews and meetings. The Board had reached out to a neighboring Road Commissioner for pointers and the decision boiled down to equipment.

**A motion was made by Selectmen Ed Walsh to appoint Adam Doliber as District 2 Road Commissioner until June 20, 2021; seconded by Selectmen Kimberly Stacey-Horn. Vote 2 (Selectmen David Winchell abstained).**

**10. ANNOUNCEMENTS:**

- A. Sand Bid - 10/14**
- B. Tanker 7 - 10/14**

**11. MEMBERS PRESENT**

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

**12. ATTENDANCE**

Leslie Berlan, Joyce Bakshi, Dennis Long, Mike Long, Rick Smith, Rollin Waterhouse, Jeff Donahue, William Langley, Preston Bick, Katelyn Long and Cheryl Drisko.

A motion was made by Selectmen Ed Walsh to adjourn at 7:50 pm; seconded by Selectmen Kimberly Stacey-Horn. All in favor.