

TOWN OF ACTON SELECTMEN'S MEETING
September 8, 2021
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- The local AA group has reached out to the Town Administrator to ask for the Board's permission and support. They would like to hold meetings here in the hall 2 hours weekly without having to pay the use fee. The Board agreed.
- The Transfer Station position has been posted.
- An Article 43 application for the Wilkins Road has been completed with the additional required information that was missing and emailed to both the Board and the Road Committee for review.
- An Article 43 application for Tattle Street has been emailed to the Board and Road Committee for review.
- The "Purchase and Sales Agreement" for 7 West Shore Drive has been drafted, presented and signed by the new owners; transfer form has been completed and a new deed has been drafted for the Board to sign at their next meeting. The closing will be scheduled for next week.
- The Rec Committees' lock for the field failed; it has been returned and a new lock has now been obtained. The original lock was both code and key; the new lock is a letter/number combination and can be changed frequently.

The handyman reported back that he will be placing the cameras up tomorrow and the signs are already up. On an additional note, the verbiage on the Town Hall sign will be changed to reflect Tax due date on one side and November Election information on the other; the Town will be issuing absentee ballots soon.

There are two baseball uniforms which still have not been returned to the committee. Parents are just not replying; the unfortunate thing is, one belongs to a student who will be starting Soccer and the other is a coach. A thought is to send certified letters to inform the participants' and collect the uniforms; the Liaison agreed the letter was a good idea.

Discussion ensued regarding the importance of the program, uniforms, volunteers, and the amount of paperwork the small committee of 2 to 3 member's manages (team set up, uniforms, soliciting participants and volunteers, insurance required volunteer paperwork and background checks), and the possibility of reconsidering a Rec Director position.

Outcome was that a letter would be sent and if the uniforms were not returned by deadline set (about 1 week) or can't be gathered at the field, Selectmen Ed Walsh will step in and personally address the situation; the Board will give the Rec Committee as much support as possible.

- The "Notable Events Report" was received from the York County Sherriff's office. The following events were cited:
 - Large amount of people hanging out at the Horn Pond boat launch; no criminal activity being observed.
 - 17 year old speeding 72 mph in a 35 mph zone; criminal speeding.

- 19 year old Sanford was stopped and was in possession of liquor; possession of a minor.
- A protection order cited for domestic violence issue.
- The Department of Environment Protection (DEP) will be holding an Erosion training classes here on Thursday, September 9, 2021 from 9 am to 4 pm.
- The Town has received a new delivery of beans. There are lots and lots of beans available to take. There are new varieties available: Black beans, Chickpeas, dried garbanzo beans, split pea, lentils and yellow pea beans. Please take some; the Deputy Clerk is doing a great job reminding people these are available.

3. WARRANTS/BILLS - Signed

4. APPROVAL OF AGENDA

Selectmen Kimberly Stacey-Horn made a motion to approve the agenda; seconded by Selectmen Ed Walsh. No discussion. All in favor.

5. MINUTES OF LAST MEETING

Selectmen Kimberly Stacey-Horn made a motion to approve the September 1, 2021 minutes; seconded by Selectmen Ed Walsh. No discussion. All in favor.

The other set of minutes, August 19, 2021 Executive Session minutes, were not approved tonight but they are done. The Town Administrator has not had a chance to read and submit to the Board. The Town Administrator thanked her assistant on their completion; the minutes were twenty nine pages long. Selectmen Ed Walsh responded, good job.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES - None

7. OLD BUSINESS

A. East Shore Drive -

Road Commissioner Adam Doliber was invited to the podium to be a part of the conversations to follow. The Town Administrator recapped the situation whereas in the middle of August there were trees cut during road work by a subcontractor and during this work, the resident claimed the trim board on their building was damaged.

There were two videos produced to support the claim. The first video shows the trees being cut and the lines are wiggling; the second video shows the subcontract employee speaking to the property owner and stating that they will take care of the damage and that their logging company had done the damage. However, there is no clear viewing of the damage being done, thus the back and forth.

The Town Administrator has been going back and forth with the Tree Company regarding this issue as the resident has submitted two quotes for the cost of repair; one quote is for approximately \$800 and the other approximately \$1,000. It has been thirty days since this damage event has occurred; the Town Administrator asked the Board how they wanted to proceed.

Discussion ensued. One of the items discussed was that the company needed to take up the responsibility of the damage; however, the company had decided they wanted to turn it over to their insurance company.

The Town's attorney indicated that the Town does have responsibility since they hire the subcontractor and that the Town should mediate. If the Town called their insurance company, the cost would only impact the \$1,000 deductible that the Town would have to pay, so in reality this would come out of the Town's pockets.

It seems as if this issue keeps being dragged out. It is the Tree Company's responsibility but they want their insurance company handle it. The Town paid \$7,000 to the tree company to do the work; the check was already released. It would be good business practice for the tree company to pay the repair bill as it is small potatoes in the entire scheme of things.

Selectmen David Winchell indicated that if the Town of Acton paid the bill to get the issue resolved, then the Town would no longer use the tree company and its services.

All felt bad for the property owners and the amount of time this is taking to resolve. The Board decided to pay the property owners contingent on them signing a release waiver provided by the Town's Attorney that no further action or responsibility would be taken or required of the Town.

Selectmen Ed Walsh made a motion to pay the \$800 plus quote contingent on the release waiver being signed by the property owner and the tree company will no longer be used by the Town; seconded by Selectmen Kimberly Stacey-Horn. All in favor.

Selectmen Kimberly Stacey-Horn asked if a letter could be sent to the tree company for compensation. The Town Administrator responded that she would deal with the insurance company; would call the tree company and notify them about paying and that their services will no longer be required and an invoice would be sent out to cover the costs.

Both Road Commissioners acknowledged they were in agreement with the decision. Road Commissioner District 2, Adam Doliber indicated he would reach out to other services for quotes.

B. Windows -

The Town Administrator presented to the Board a comparison matrix of all the replacement window quotes received for the Board to review and consider. Quotes were:

- Portland Glass \$ 31,615.00
- A Best Windows \$ 32,384.00
- Maine Windows & Doors \$ 18,463.00
- Port City Glass Company \$ 4,763.18*

*Noted was a difference in quote prices due to one company quoted repairs instead of replacements.

Selectmen Ed Walsh indicated that he would review and meet with the lowest bidder to see what the differences were comparable to the other two quotes. The Town Administrator will schedule meeting. Selectmen David Winchell Jr. asked for references.

8. NEW BUSINESS

A. Goat Hill Agreement -

Mr. Carl Davis approached the Town Administrator with a Construction and Use Permit for the Board to sign which allows Three Rivers Land Trust the ability to qualify for future grants. The contract covers a 10 year period but can be terminated by either party according to the parameters of the contract. The permit outlines and is used for permissions to construct, maintain and modify the trails with the Town as landowners assuming none of the responsibility. Any major considerations will still be required to come before the Board.

Selectmen Ed Walsh made a motion to sign the Construction & Use Permit contract with Three Rivers Land Trust; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

B. Executive Session 405 6 A -1 -

Selectmen Kimberly Stacey-Horn made a motion to go into Executive Session pursuant of 405 6 A-1 personnel issue at 6:35 pm; seconded by Selectmen Ed Walsh. No discussion. All in favor.

Selectmen Ed Walsh made a motion to come out of Executive Session pursuant of 405 6 A-1 personnel issue at 7:06 pm; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

9. PUBLIC COMMENT - None

10. ANNOUNCEMENTS

- 09/13/2021 - Conservation Committee 7:00pm
- 09/14/2021 - Mary Grant 6:30pm
- 09/15/2021 - Board of Selectmen 6:00pm
- 09/16/2021 - Planning Board Meeting 6:00pm
- 09/20/2021 - Rec Committee 5:30pm
- 09/22/2021 - Board of Selectmen 6:00pm
- 09/23/2021 - Road Committee 6:00pm
- 09/27/2021 - Warrant and Finance 6:00pm
- 09/29/2021 - Capital Improvement Committee 4:30pm
- 09/29/2021 - Board of Selectmen 6:00pm

11. MEMBERS PRESENT

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

12. ATTENDANCE

Dennis Long, Adam Doliber, Will Langley, Katelyn Long and Cheryl Drisko.

Selectmen Ed Walsh made a motion to adjourn at 7:08 pm; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.