

TOWN OF ACTON SELECT BOARD MEETING

December 13, 2023

6:00pm

MINUTES

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Winchell, Jr. called the meeting to order.

2. WARRANTS/BILLS

Signed

3. APPROVAL OF AGENDA

Norwood moved to add Abbott Road to the top of New Business on the agenda; Walsh seconded. All in favor. Motion carried.

4. MINUTES OF LAST MEETING

Norwood made a motion to approve the minutes from the December 6 meeting; seconded by Walsh. All in favor. Motion carried.

5. TOWN ADMINISTRATOR WEEKLY UPDATE

N/A

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

William Langley, Road Commissioner

Langley spoke with a paving company to line up work for the Spring: the balance to pave Peck Road \$45,908; the account has \$40,223.93 in it. Langley requested money from District Two to complete the paving on Peck Road. Langley spoke with the Treasurer to confirm account balances.

McGurty made a motion to approve additional funds out of District Two Paving to cover the full cost of finishing Peck Road, subject to confirmation by the Treasurer that there are sufficient funds in the account; seconded by Walsh.

Winchell, Jr. amended the motion to approve up to an amount of \$12,000; seconded by Walsh. All in favor. Motion carried.

Langley questioned if paving projects should be put forward at this time as we are pending the road assessment. Roux advised we do not have any update of when the road assessment will be ready. McGurty suggested Langley develop suggestions at this time with the potential to be modified if necessary. Winchell, Jr. continued, adding that Langley should be budgeting for two projects this year for each district (four roads total), and advised to reach out for quotes. Langley went out and viewed roads: County Road, Youngs Ridge Road still needs to be completed (estimated cost is \$51,000); Buzzel Road also needs to be completed (estimated cost is \$70,000), and Sanborn Road.

County Road and New Bridge Road had water come up over the road due to rain.

McGurty questioned when roads get posted. Discussion occurred regarding posting roads.

Sam Singleton, Recreation Director

The Christmas Tree lighting went well, and the turnout was great this year.

Basketball and cheer have started. Games begin in January.

The Recreation Committee requested use of the Gamechanger App – which allows access to an online forum via invite with a live feed of the schedule and communication with parents. The school currently uses the app already. McGurty questioned the cost. Singleton advised there is no cost to use the app. Norwood suggested the committee keep track of how the app works for each sport. McGurty questioned if the committee voted on the use of the app. Singleton advised there has not been a vote. Winchell, Jr. advised Singleton to get a vote from the committee and come back to the Board with the vote. Singleton understands.

7. LIAISON UPDATES

McGurty: Municipal Management / Warrant & Finance, APAT, Cemetery

Municipal Management – McGurty had a discussion today with the auditors and advised the first draft of the audit report has been received. Adjustments have been addressed. We anticipate having a final draft within a week to ten days. It will be reviewed and then it will be put on the agenda for the Warrant & Finance Committee for a formal vote to accept and release. There are surpluses for both the school and town.

The Budget process has started. Memos have gone out to all department heads. This year, we are taking the entire salary component out of the budget process and asking if changes need to be made based on hours worked, new positions that need to be filled, or if salaries need to be changed for market reasons, that department heads can provide research for those requests. Otherwise, the Select Board will apply the rate of increase they feel appropriate for all town employees and will apply that to the budget. Budgets have been requested by the end of December.

Warrant & Finance – Joyce Bakshi advised there will be a meeting this coming Monday. Plans will be put in place for completion of the budget.

APAT – Discussions are in progress with the Director.

Cemetery – There have been no meetings scheduled. McGurty will reach out to discuss scheduling.

Walsh: Fire Department, Transfer Station

Fire Department – Walsh met with the Fire Chief on Monday. Chief Ham will come to the Board to further discuss some items.

Transfer Station – Walsh met with Ham on Monday, regarding the MSW container. There was an incident where the container was not locked in properly by the driver and the container was damaged. There was no damage to Town property. Walsh indicated the company thinks someone tampered with the container, Walsh doesn't believe someone could/would tamper with the container. The company will send a bill of approximately \$800. Walsh doesn't believe the town should pay for it. Walsh advised Ham to inspect the container every time it comes in and out.

Per Walsh, Bob called Triano, and Triano called Atlantic regarding the issue.

McGurty suggested negotiating the bill and potentially sharing the cost.

Walsh had a meeting with Tri-County Waste – which is a group working with local towns - to discuss negotiations for a new contract for trash: the contract comes up in June 2025. They are trying to get a new contract in place February 2024. They spoke with Casella yesterday and will speak with Waste Management and Maine ECO.

There will be a workshop at the Transfer Station on Thursday with the Engineer and DEP to discuss the schematic.

Winchell, Jr. questioned Robin Ham, Transfer Station Superintendent, regarding the scheduled meeting with DEP and why he reached out to schedule the meeting after the previous discussion regarding not contacting the DEP until necessary. Ham indicated Winchell, Jr. didn't want DEP on the property, however, he believed DEP should be involved to assist with discussion of where digging can occur and what can and cannot be filed. Winchell, Jr. expressed concerns that another Select Member was contacted to attempt to get a different response and indicated that a plan was provided by a resident and a decision was made to not contact the DEP. Discussion continued regarding the call made to DEP against the Select Members decision to not to contact DEP.

Norwood intervened, confirming that the Select Members want to follow certain steps and procedures, and as the decision makers of the town, if there are questions or concerns, they need to be addressed in a proper manner. Norwood suggested contact be made with Roux to set up a follow-up discussion and/or meeting to further address questions and concerns.

Ham advised; he reached out to his liaison to discuss DEP's involvement. Walsh indicated he should have reached out to the other Select Board Members to further address the topic when Ham made contact regarding DEP.

McGurty clarified the department head's report to the Select Board Members. There is a liaison, who acts as the primary communicator with a department head and the Select Board. The Select Board is responsible for managing the department heads. A Select Member said not to do something and if a department head disagrees, further discussion needs to occur. There is an organizational structure that is meant to facilitate the management of the town, a chain of command. The Select Board Members are voted in by the residents to make decisions for the town and take responsibility for the decisions made on behalf of the town. McGurty continued to clarify that if there is a disagreement there are proper steps to take. There was no vote, however, McGurty agreed with what Winchell, Jr. had stated, and that DEP didn't need to be involved at this time.

Ham questioned what the problem was inviting DEP to the Transfer Station. Winchell, Jr. referred to previous discussion about having availability to surveys and markers from a resident, who is familiar with the process, and of the disregard for the decision made. If there is an issue that needs to be addressed, the town will contact DEP. If there are no issues, we do not need to invite the DEP to look for a potential issue. Winchell, Jr. continued, that there is still no plan in place for the Transfer Station.

Walsh accepted responsibility for the mixed communication and apologized.

Norwood: School Department, Conservation / Forest, Mary Grant

School Department – Norwood participated in a workshop with the School Committee and Select Board to map out the timeline for the Town Meeting and Budget process. A Tentative date has been set for Saturday, April 6, 2024, and discussions are in progress to attempt to shorten the length of the meeting. A plan is in place and we are in good order to proceed.

Conservation / Forest – Last week Norwood met with an interested member. If this individual is approved, there will be a quorum within the committee.

Mary Grant – There should be a meeting in January.

The Tree Lightening occurred this past weekend and went well. Norwood extended thanks to the Church and the Recreation Committee, and all parties involved in putting the event together.

Winchell: Roads & Road Committee, Recreation Committee

Roads & Road Committee – There will be a meeting with the finance liaison, Winchell, Jr. and Langley, to discuss the budget soon.

Recreation Committee – Winchell, Jr. attended the Recreation Committee Meeting last week. Nothing to report currently.

8. OLD BUSINESS

A. 2023-2024 Salt Bids

Roux provided a breakdown from five companies (one did not participate):

- Eastern Salt \$79.24/ton
- Parkros \$100.60/ton
- Morton Salt \$89.33/ton
- New England Salt \$200.00/ton

Langley confirmed we worked with Eastern last year.

Langley recommended to go with Eastern Salt. The estimate is for 1500 tons.

McGurty made a motion to enter into an agreement with Eastern Salt Company to acquire salt for the winter season at per ton price of \$79.24; seconded by Norwood. All in favor. Motion carried.

Agreement signed.

Joyce Baksi questioned the left-over salt from last year. Langley confirmed approximately 100 tons.

9. NEW BUSINESS

A. Abbott Road

Jay Ward, Road Committee –Winchell, Jr. reviewed an Article 43 request for a culvert within Abbott Road Association, on Jerico Way. Unfortunately, the Chair and Vice Chair, as well as the individual doing the work, are voting members on the committee. Due to a lack of quorum and inability to vote on the issue, we will be bypassing the Road Committee. Winchell, Jr. will do the inspection. He also questioned when the installation will occur. Ward confirmed the installation is this week. The culvert is too short, and the danger is trucks falling off the edges. The estimate is to replace a 15-foot culvert with the same size culvert that is 20 feet long.

Norwood questioned, as the work is scheduled tomorrow, is the association prepared to cover the cost if this is not approved by the Select Board due to not meeting the qualifications or due to the time delay. Norwood also brought up that this is the second occurrence recently with a time constraint. McGurty continued, there is a

stipulation that if the association moves forward prior to approval by the Select Board, the Association takes it on at its own risk. Ward agreed and the associations are aware as well.

McGurty requested before and after pictures of the project by completed. Langley will obtain photos. Winchell, Jr. indicated the Board will vote to approve the funds contingent on the photos and the job being completed.

Norwood made a motion to approve the Abbott Road/Jerico Way Association Article 43 for \$3,000 contingent on pictures and the work completed; seconded by Walsh. All in favor. Motion carried.

B. Sheriff's Law Enforcement Contract

Roux provided an updated contract from the Sheriff's Department and the agreement between Acton and Shapleigh for the contract Sherrif. McGurty questioned the percentage increase for the contract year to year. Winchell, Jr. requested the numbers for next week and requested to table this until next week.

C. Appointments

Three appointments:

- Joe Ruma met with Norwood and will take over the remainder of the appoint for the member who resigned from the Forest and Conservation Committee, effective until June 30, 2024.
- Planning Board

An agreement between the CEO, Ryan Gleason, and Adam Brock. Gleason is a primary member, who, due to travel constraints, can no longer fill the primary role and would like to step into the alternate role. Brock is an alternate, who can fill Gleasons primary role. The appointment will swap the roles, pending the Boards approval.

McGurty made a motion to appoint Joe Ruma to the Forest and Conservation Committee, effective through June 30, 2024; seconded by Norwood. All in favor. Motion carried.

McGurty made a motion to appoint Ryan Gleason to the alternate position to the planning board through June 30, 2024; seconded by Norwood.

McGurty made a motion to appoint Adam Brock to the Planning Board for a term ending June 30, 2026; seconded by Norwood. All in favor. Motion carried.

All signed.

D. Pole Permit

Intersection of Hopper Road and Independence Way

Winchell, Jr. made a motion to approve the pole permit at the intersection of Hopper Road and Independence Way; seconded by Walsh. All in favor.

Signed

E. Executive Session 405 6.A – 1 Personnel Issue

Norwood made a motion to go into Executive Session 405 6.A – 1 Personnel Issue; seconded by Walsh. All in favor. Motion carried.

Norwood made a motion to come out of Executive Session 405 6A – 1 – Personnel Issue at 7:44pm; seconded by Walsh. All in favor. Motion carried.

10. PUBLIC COMMENT

Joyce Bakshi: The Elders had their Christmas Luncheon: and wanted to extend a thank you to the Acton Fire Department, who came and gave a speech on public safety.

What is the status of the road assessment: Roux indicated it is not complete. They just finished their third and final visit to Acton. The data is being put together and will be provided once completed.

Is there an update on the Lincoln School: There have been no updates; Walsh will reach out.

Sam Singleton, Recreation Director:

Singleton reviewed meeting minutes from November 20, motion approved to request coaches use the Gamechanger App for communication and scheduling for Acton Rec Teams. Norwood questioned if minutes noted who made motion and seconded. Singleton advised they do not. Once the motion is made properly, it can be reviewed by the Select Board.

11. PENDING

- A. Budget Timeline
- B. Speed Trailer
- C. Mooring Ordinance

Walsh made a motion to adjourn the meeting; seconded by McGurty. All in favor. Motion carried.

12. ANNOUNCEMENTS

On Website

13. MEMBERS PRESENT: David Winchell, Jr., Tom McGurty, Ed Walsh, Daniel Norwood, Jennifer Roux

14. ATTENDANCE: Will Langley, Sam Singleton, Robin Ham, Joyce Bakshi, Jay Ward, Dan Krampetz