

# TOWN OF ACTON SELECT BOARD MEETING

June 1, 2022

6:00pm

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

**2. WARRANTS/BILLS:** Signed

**3. APPROVAL OF AGENDA:** A motion was made by Kimberley Stacey-Horn to approve the agenda. Tom McGurty seconded the motion. All in favor, motion carried 3-0.

**4. MINUTES OF LAST MEETING:** A motion was made by Kimberly Stacey-Horn to approve the minutes of May 25, 2022. Tom McGurty seconded the motion. All in favor, motion carried 3-0.

**5. TOWN ADMINSTRATOR WEEKLY UPDATE:**

- The Town has a policy that provides excise tax exemption to Veterans that are 100% disabled. The policy now states that the Veteran is allowed excise tax exemption if they possess a Veteran's license plate and have a letter from the Department of Veteran's Affairs that states they are disabled. A Veteran has approached the Town Administrator and stated they did not want a Veteran's license plate. The Town Administrator requested that the policy be amended to remove the plate requirement and revise policy. The Select Board approved the change.
- Iron Tails Saloon Liquor License renewal hearing will be held on June 8, 2022 at 6 p.m. before the Select Board Meeting.
- Fire Chief Smith reports that the new truck chassis is nearing completion and should be completed by June 16. The completions are awaiting dimensions from Mac.
- The Town Administrated requested that the CEO be the direct contact with the handyman.
- Ron Smith will be at the Town Hall on Monday June 6, 2022, at 8:30 a.m.
- Tom McGurty requested that public comments be allowed during the Select Board meeting after a motion was made, but before a motion is seconded. The Town Administrator reviewed Robert's Rules of Order protocol that states that a motion should be made and seconded and then the discussion could ensue before the vote.
- Tom McGurty also asked if the Agenda for the Select Board meetings could be posted before the meetings. The Town Administrator suggested that there be a deadline for additions to the Agenda, and Tuesday before the meeting at 12 noon was suggested.

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

**7. OLD BUSINESS:**

**A. New Bridge Road:**

The Town Administrator reported that after procuring a road commissioner's deed, Mr. Lenkowski states that the road is a 3 rod road, 24 feet on center. The Road Commissioner's concern was about plowing in the winter. If the homeowner wishes to keep the fence where it is, a release could be signed alleviating all responsibility of damage from the Town. David Winchell Jr. stated that perhaps an ordinance is needed that states that structures should be 8 feet off the edge of the hot top.

**B. Siding;**

The Town Administrator reports that \$ 30, 575 were available for the siding job. There is also some building maintenance money available for repairs. The Select Board recommended that the contractor and the CEO talk about the job regarding repair of any rot and damage to the building.

Tom McGurty recommends that the contractor purchases material and leaves it at the Town Hall and the contract states the job cost is not to exceed the allotted amount. He also stated that the Town should use its contract and not the vendor's contract.

David Winchell Jr. stated the job could be split into sections depending on the damage found during the replacement.

## 8. NEW BUSINESS:

### A. Iron Tails Mass Gathering Permit:

Mr. Greg Martinez requested mass gathering permits for 2 events:

- A Veteran's fundraising event on Sunday June 12, 2022, 9 a.m. to 5 p.m., sponsored by The Harley Davidson Corp. and VFW Nationwide.
- Annual Burn-out Competition to be held on Saturday June 18, 11:30 a.m. to 5 p.m.

**A motion was made by Tom McGurty to approve the mass gathering events petitions to 5p.m. David Winchell Jr. seconded the motion. Kimberly Stacey-Horn recued herself from the vote. Two in favor, one abstaining, and motion carried 2-0-1.**

In addition, there is a petition to hold several musical performances that would conclude after 5 pm, but by 10 p.m. Mr. Martinez stated that a sound fence has been built and the sound will not exceed allowable sound levels.

The dates of the concerts are: June 25, July 22, July 29, August 17, September 3, and Sept 16, 2022.

Public Comment:

Hope Denkamp stated that she was glad to know about the events and when they would occur.

Skipper Land: She stated that she was an employee of Iron Tails and wanted to ask that the events be approved. She stated that every year thousands of dollars are raised for the Veteran's and for people dealing with unfortunate circumstances.

Samantha Singleton stated that these events were good for the Town and that tourists equaled revenue.

**A motion was made by Tom McGurty to approve the music events until 10 p.m. David Winchell Jr. seconded the motion. Kimberly Stacey-Horn recued herself from the vote. Two in favor, one abstaining, and motion carried 2-0-1.**

### B. Recreational Committee:

Samantha Singleton, Chairperson of the Rec Committee, introduced the members of the committee. Hope and Jon Denekamp, Crystal Andrews, Laurie . . . . ., Jennifer and T.J. Dahms, and Carol Ward. Hope Denekamp asked the Select Board to sign a thank you note for the donation of playground toys the Town has received for the Rec Field Play area. The Select Board has drafted a list of items that Tom McGurty presented as the role of the Rec Committee. The Committee would be working in an advisory role to Samantha Singleton, as Chair. The expectations of the committee would be that they would gather ideas for events, assist at events, volunteer as needed, and assist in fund raising events.

Samantha reported that she would like the Town to be Little League sanctioned. There are 23 children on the current T Ball team.

They are having a Soccer Clinic being taught by a certified instructor and would like to be able to engage with Shapleigh and Berwick.  
Playing with other teams would expand their skills by seeing how other teams play.  
The Rec Committee will have a round table meeting on June 5, 2022.

C. Road Committee:

Leslie Berlan, Chair of the Committee introduced her committee. Cindy Hart as Vice Chair, Dave Ward, Rick..... Will Langley was present, but Adam Doliber was on an errand and was not able to attend.

The recent activities of the Road Committee have centered on the West Shore Drive Bridge project. Leslie Berlan reported that she met with Maureen, the engineer for the project and that the engineer is working on 3 different sketch plans that will include estimates. The design process will be starting the week of June 1, 2022. She also reported that when the design plans are complete there should be a meeting with all of the stakeholders, including the Select Board, the Road Commissioners, Inland Fisheries, and the Square Pond Association.

Leslie Berlan and Will Langley are the liaisons for the project. Tom McGurty stated that this bridge is a hot issue and how the information gets synthesized to the various interest groups is important so that the conclusion will arrive at the best interest of the Town and the residents of Square Pond. Leslie Berlan said the cravat is to meet the regulations that are required. Tom McGurty remains cautiously skeptical because it is an important strategy to represent the Town resident's interests and still respect the Town and Federal Government's authority.

It was stated by Leslie Berlan that the Square Pond Association has engaged their own engineer. The Army Corps of Engineers have agreed that the Bridge construction has to provide the right outcome for Acton and perhaps the best design would be in kind replacement. Tom McGurty stated the State and Federal authorities have the resources to do what is best. He also suggested that the Select Board should meet with the committee and Ransom in a joint meeting before a town wide kick off. Smaller meetings would be more productive with the Select Board first, then the Road Committee could take a look at the plans and designs. He acknowledged this is a Town wide issue and the Select Board, through the Town Administrator, would notify the abutters for a meeting. He stated this should be an open process with the best information available to make a good decision. The Road Committee would have a meeting to make a recommendation but The Select Board makes the decision.

Leslie Berlan noted that there was a Road Committee meeting with The Army Corp of Engineers, recorded on October 12, 2021, that everyone interested should watch. David Winchell Jr. recommended that the Town wait until the design sketches were available and presented to the Select Board and then the Road Committee could be involved after the Select Board had a chance to study the designs. Then at a Select Board meeting, there could be a public hearing and everyone involved could be invited so that everyone could hear the plans and proposals. David Winchell Jr. stated this process should be undertaken step by step so that everyone is informed and there could be accountability. David Winchell Jr. stated that Will Langley had the trust of the Towns people and has had no issues with accountability. The anticipated time line for this project would be to receive the designs this year and construction of the Bridge would commence next summer.

Cindy Hart then spoke regarding the Canal Bridge, stating that there were four safety issues concerning the recent construction. She stated that there was a Department of Environmental Protection regarding bank slump. There was a concern with the MAB regarding insurance. She stated that in the final design there was no erosion control permit, and a permit was needed because the construction was within 75 feet of water.

Tom McGurty asked, "What action is to be taken?"

Cindy Hart replied that the guardrails are only 33 inches high and they should be 36 inches high according to Federal Standard. The Department of Environmental Protection needs to take a look at the Bridge and address any deficiencies. David Winchell Jr. replied that Mr. Foster, The Bridge Ranger and Mr. Bean, the Road commissioner inspected the Bridge and there was a final certified copy of the plan. Cindy Hart asked if the guardrails and the bank slump had been repaired. David Winchell Jr. replied that there had been a soil test, and the new construction area would naturally sink. He noted that Cindy Hart petitioned for the Bridge to be included in the National Registry of Historic Places, but if it is the Bridge is not allowed to be touched. The Department of Environmental Protection inspected the Bridge construction six times and found nothing wrong with the construction.

*D. Executive Session 405-6.A.1. Personnel (Treasurer Search)*

**A motion was made by Kimberley Stacey-Horn to go into Executive Session. Tom McGurty seconded the motion. All in favor, motion carried 3-0.**

**A motion was made by Kimberley Stacey-Horn to come out of Executive Session. Tom McGurty seconded the motion. All in favor, motion carried 3-0.**

**9. PUBLIC COMMENT:**

Lee Robator, of the Square Pond Improvement Association stated that there had been conversations with The Army Corps of Engineers regarding the permitting process. He stated that Ransom was presenting different structure types as in kind replacement. The specifications are including the Canal Bridge option, in kind replacement, or the expanded box type structure. Mr. Spear stated that they had hired an engineer for a peer review of the plan at their cost.

**10. ANNOUNCEMENTS:**

The Town Administrator reported that interviews have been set up for the Treasure's position on June 2, 2022. Also, The Town Hall would be closed on June 8th, 15th, and 27<sup>th</sup>, as the staff is getting ready for the Election, Town Meeting and Audit. Tom McGurty stated this is a necessity and Jennifer and Kayla are working hard doing the best they can and they work all day on Monday, even though the Town Offices are closed.

Thursday, June 2 Planning Board 6:00pm

Sunday, June 5 Recreation Committee 9:00am

Wednesday, June 8 Select Board 6:00pm - Public Hearing - Iron Tails Saloon; Liquor License Renewal

Wednesday, June 15 Select Board 6:00pm

Thursday, June 16 Planning Board 6:00pm - Public Hearing - Kenyon; Auto Repair Shop

Monday, June 20 Conservation/Forest 6:00pm

Wednesday, June 22 Select Board 6:00pm

Monday, June 27 Road Committee 6:00pm

Wednesday, June 29 Select Board 6:00pm

**Mr. Stated that** there were a few omissions on the announcements and wanted to add:

Monday, June 6, Candidates Night

Tuesday June 14, Elections

Saturday, June 18, Town Meeting

**A motion was made by Kimberley Stacey-Horn to adjourn the meeting. Tom McGurty seconded the motion. All in favor, motion carried 3-0.**

**11. MEMBERS PRESENT: David Winchell Jr., Kimberly Stacey-Horn, Tom McGurty**

**12. ATTENDANCE:**