

**TOWN OF ACTON SELECT BOARD MEETING**

**June 29, 2022**

**6:00pm**

- 1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**
- 2. Kimberly Stacey-Horn is absent.**

**2. WARRANTS/BILLS: Signed**

**3. APPROVAL OF AGENDA: A motion was made by David Winchell Jr. to approve the Agenda. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

**4. MINUTES OF LAST MEETING: Tabled**

**5. TOWN ADMINSTRATOR WEEKLY UPDATE : None**

**6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**

**A. APAT Director :**

Michael Corey apologized to the Select Board that the documentary videos were sometimes not available for public viewing in a timely manner. He stated that the Candidates Night video was not available for viewing in a timely manner and this was due to negligence on his part. Tom McGurty stated that he spoke with Michael and that he would make an effort to follow the three day time. If there were any problems the public could contact [apat@actonmaine.org](mailto:apat@actonmaine.org).

**B. Fire Department:**

Chief Rick Smith could not be present because of illness, so Deputy Chief, Wayne Ham, read a letter written by Chief Smith asking if the 3 bid purchasing policy could be waived for the Stryker Power Load and the Lucas Reccesitation Device as the specific purchase was approved at Town Meeting and they were being purchased through the authorized Stryker Dealer. These are the only pieces of said equipment that coordinate with the ambulance apparatus and are approved by the EMS and the State of Maine. Tom McGurty stated that he would like to meet with Chief Smith and discuss the purchase. Deputy Ham stated that the Fire Department would like to expedite the purchase, and this specific article has gone through the budget process and was written as such in the Warrant. The Town Administrator contacted the Fire Chief via phone and Chief Smith stated that the purchase was going through the company and the corporate representative and that there was a discount being given for purchasing the 2 large items at the same time and there was a service contract consideration being given. He stated, "This was a fair deal." Chief Smith stated this was lifesaving equipment and the consideration was to expedite the purchase and deployment of this equipment. Tom McGurty asked that Deputy Ham give him until later in the meeting to decide.

After consideration of this matter,

**A motion was made by David Winchell Jr. to forego the bid process to expedite the purchase of the Stryker Power Lift and the Lucas Compression Device. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

**C. Rec Department:**

Samantha Singleton reported that as of now, the soccer clinics are cancelled due to a coach issue.

On September 11, 2022, the Car Show at the Fairgrounds would coincide with but be separate from the Southern Maine Tractor Pull. There would be vendors who would pay a fee, food trucks, games for children and would be a fund raising event occurring from 9 am to 2 pm. The question arose regarding a Liquor Catering venue and the issue of Town liability and would the Town insurance cover the liability.

The Town Administrator will consult with the Town Attorney and the vendor would need to provide proof of their liability insurance. The only cost for this event would be plugging in for electricity if the event needed to plug in for power. Tom McGurty stated they would table this for now.

There would be a Corn Hole Tournament at Barn Lights sponsored by the Rec. There would be a \$30 team fee for the competition that would be divided 50/50 to the winner and the Rec. The Town Administrator stated that the payout would have to go through the town books.

Bernard Brodeur stated that 9/11 is a somber day and he felt the Town should not support an event with alcohol. He also stated that there would need to be a liquor liability policy in place. He stated he would not encourage the Town to support this kind of activity.

Will Langley stated that Tom Hutchins will grind the brush at the Town Shed and the Transfer Station next week. (Week of July 5, 2022)

## 7. OLD BUSINESS

### A. New Bridge Road Fence Letter:

The Town Administrator tabled this matter until next week.

### B. Roof Bid:

David Winchell Jr. tabled this until next week so he could obtain the specifications.

### C. Petition / Legal Advice / M. Email:

Tom McGurty stated this was a good issue. The wording of the petition being sent to MMA does not incur an additional fee to the Town. There will be a motion to adopt a policy for the drafting of petitions that will be available to all residents to obtain the consensus of all voters and there would be no Town money spent. The citizen's petitioned initiative would be correct and complete and when presented, would be in the correct format.

Jim Driscoll remarked that at the last Town Meeting, there were approximately 40 people there to vote for the budget. He reminisced that at the election with the written vote due to Covid, there were 250 votes. He asked if the question of change of format would be on the November ballot. Tom McGurty stated that there would be a public hearing first. Jim Driscoll asked if the Town Meeting would be moved to the spring with the School Meeting. The MMA wording would have to be accepted before people would sign the petition. Tom McGurty stated that the voters would get to express their views when they vote. First, a question had to be drafted so that the Town Administrator could put the draft forward to the MMA for any corrections or changes.

Bernard Broder proposed a draft for this issue.

“Shall the Town of Acton, starting with the 2023 Annual Town Meeting, submit all Warrant Articles to be considered for the Town Meeting to the Voters of The Town, in the format of secret ballot referendum questions and keep the polls open as required by law when said Article or Articles are voted upon? Special Town Meeting shall be set at the discretion of the Select Board or as may be required by citizen petition.”

## 8. NEW BUSINESS

### A. Personnel Matter 405 6 A-1:

**A motion was made by David Winchell Jr. to go into Executive Session at 6:55 p.m. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

**A motion was made by David Winchell Jr. to come out of Executive Session at 7:17 p.m. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

### B. 2022-2023 Salary Increases:

The Select Board approves the salary rate for the Town Employees based on the Warrant as presented at budget season 2022-23

C. IRS Mileage Rate:

The mileage reimbursement as mandated by the IRS from 58.5 cents per mile to 62.5 cents per mile as of July 1, 2022.

D. Resignation:

Ashley Flynn, Code Enforcement Secretary, has resigned effective July 8, 2022.

**A motion was made by David Winchell Jr. to accept Ashley Flynn's resignation. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

E. Appointments:

**A motion was made by David Winchell Jr. to approve the Appointment of Wayne Michael, Joyce Bakshi to the Capital Improvement Committee until June 30, 2024. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

**A motion was made by David Winchell Jr. to approve the Appointment of Steve Perillo, Gerald Carter, Lois Michaud, Tracy Lavess to the Cemetery Committee until June 30, 2023. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

**A motion was made by Tom McGurty to approve the Appointment of Lori Clarke to the Rec Committee until June 30, 2024. David Winchell Jr. seconded the motion. All in favor, motion carried 2-0.**

**A motion was made by Tom McGurty to approve the Appointment of John Qua and Chris Whitman to the Planning Board until June 30, 2024. David Winchell Jr. seconded the motion. All in favor, motion carried 2-0.**

F. CEO Draft Policy:

Jason Sevigny would like to draft a standing policy as to what is expected from a Code Officer to provide guidance as to how to respond to questions, complaints, and inquiries. Tom McGurty stated there should be standards and best practices in the industry. There must be a professional group to consult.

Ray Lopez stated that there should be a differentiation between a complaint and an inquiry.

Joyce Bakshi stated that the answers to these questions should be in Chapter 1000, and if the inquiry is anonymous the complaint should be disregarded.

The Town Administrator stated that Chapter 1000 is not part of our zoning.

Tom McGurty stated that this issue would be tabled and put on a future agenda.

G. County Road:

David Winchell Jr. Reported that the State shut down Milton Mills Road to big truck traffic going over the bridge and the Town of Acton shut down French Street. Therefore, traffic is being funneled down County Road and it is like a pit road now.

Adam Doliber addressed the issue that it is to be repaved. The County Road would be posted, "No Trough Trucks over 2599 GRVW.

The Town has a policy to post roads; this would be for commercial trucks not working on that road.

Will Langley questioned what good would posting do? David Winchell Jr. Replied it would keep the traffic on State roads.

**A motion was made by David Winchell Jr. to approve the posting of the road as soon as signs can be posted at 2599 GRVW. Tom McGurty seconded the motion. All in favor, motion carried 2-0.**

**9. PUBLIC COMMENT;**  
**Lori Clarke** read a prepared statement.

**10. ANNOUNCEMENTS**

Wednesday, July 6 Select Board 6:00pm  
Thursday, July 7 Planning Board 6:00pm  
Monday, July 11 Forest / Conservation 6:00pm  
Wednesday, July 13 Select Board 6:00pm  
Wednesday, July 20 Select Board 6:00pm  
Thursday, July 21 Planning Board 6:00pm  
Wednesday, July 27 Select Board 6:00pm

**11. MEMBERS PRESENT: Tom McGurty, David Winchell Jr.**

**12. ATTENDANCE:** Bernard Brodeur, Jim Driscoll, Adam Doliber, Robin Ham, Will Langley, Ramiro Lopez, D. Lopez, Joyce Bakshi, J. Rume, Samantha Singleton, Lori Clarke