

TOWN OF ACTON SELECT BOARD MEETING

July 13, 2022

6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

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: A motion was made by David Winchell Jr. to approve the Minutes of June 22, 2022 and June 29, 2022 as written. Tom McGurty seconded the motion. All in favor, motion carried 2-0.

5. TOWN ADMINISTRATOR WEEKLY UPDATES:

- O'Donnell and Associates have been doing inspections regarding building permits that have been issued since April 1, 2021.
- The York County Sheriff's update for the past month includes an accident on Back Road, an arrest following a report of suspicious activity, Deputy Sanborn participated in the Special Olympics Torch Run, a crash investigation, an investigation in a criminal trespass case in Shapleigh, an arrest in a Shapleigh mental health warrant, a warrant arrest in Shapleigh, an indecent exposure was reported on the Mousam lake boat ramp, and an assault occurred in Shapleigh.

Tom McGurty asked for a report of motor vehicle stops and stated that he needed to maintain an obvious road presence. The Town Administrator stated that the Deputy works day and night shifts and week days and weekends. Tom asked if there would be an opportunity for the Deputy to provide an update and the Town Administrator stated she would invite the Deputy to a Select Board meeting.

- The Town Administrator reported that Lois Michaud respectfully declined an invitation to be appointed to the Cemetery Committee. David Winchell Jr. extended his thanks for all of Ms. Michaud's work on the Committee and in the community.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

Tom McGurty asked when the reports for the Town Report were due since the fiscal year is over. The Town Administrator replied that the Departments, Department Heads, and Committees write the reports and sections. Most usually the sections, schedules and print date were determined by the date the audit was done. Tom McGurty then asked why it seemed that the Town Report was not as meaty as it once was. The Town Administrator stated that vital statistics are only enumerated because Acton is a border state to New Hampshire, and because there is no reciprocity between the States, the information is not forthcoming. The personal Vital Statistics are not public information and the Town reports the anonymous numbers available.

Tom McGurty stated that anyone with thoughts or comments regarding the Annual Town Report could send them to his email.

David Winchell Jr. stated that the Town Department and Committee reports could be submitted as soon as possible and the deadline would be determined next week.

7. OLD BUSINESS

A. CEO Draft Policy: The Code Enforcement Officer is writing a policy that he will present at the next Select Board meeting. David Winchell Jr, as the liaison, stated it was important to have a protocol that states what the Town is able to do and what the Town is not able to do especially during land dispute problems.

B. New Bridge Road Fence: Adam Doliber reported that the homeowner is willing to sign a waiver on winter plowing damage to his fence rather than moving the fence. The Town Administrator stated that the Town Attorney has submitted a draft and the homeowner could come to the Town Hall as the document needs to be witnessed.

C. Siding Update: The Town Administrator reported that the company stated they would begin work during the next 2 weeks, weather permitted. The deposit has been released, the second payment would be released when the materials were delivered and the third payment would be released at the completion of the job.

Tom McGurty thanked Robin Ham for pressure washing the side of the building and recommended asking the siding company if they recommended a product to remove any staining.

D. Roofing RFP: The Invitation to bid on the commercial steel roof for the Town storage building is being crafted with input from David Winchell Jr. and Adam Doliber. A full replacement roof with steel roofing material with all the requirements, and the same information to all, specifying products, methodology and an actual proposal price including insulation was suggested by Tom McGurty. Then the quality of the product and cost, with a description of the commercial grade materials could be compared.

Dennis Long commented that the metal roofing quality should have a guarantee for 50 years in salt air and the commercial grade and thickness of the steel should be warranted. He also recommended that CEO Jason Sevigny, should be consulted and the roof should be replaced in kind.

E. Rec Car Show Event: The Town's Insurance Company does not recommend the event take place with another event taking place at the same venue. The Town is named as the insurer. Also the Insurance stated that the Town should not sponsor an event that serves alcohol. The recommendation is that another date be selected and that no alcohol be served.

F. Rec Parking Lot: David Winchell Jr. and Will Langley measured the prospective area for the Rec Parking lot as 100 feet by 125 feet. The rough area is 145 feet by 190 feet by 115 feet, making determination difficult, so as to include slope with a 3% grade slope without infringing on the resource protection land. There is the question of the acquisition of a driveway permit as it opens to a State road. There is also the complication of a driveway directly across the street from the parking lot entrance. Will Langley recommends having the permit in hand before starting to determine if trees need to be cut. Will has an application from The CEO. The RFP should be held until the permit is obtained. The original driveway entrance is on the original permit, but the access is to be changed to the gate area. There is a 25 foot opening there that was used when the field was built. David Winchell Jr. stated that he would inquire in Scarborough as soon as he obtains the address of the field, the pole numbers and the center line distance. Tom McGurty stated that the bid document could be prepared. David Winchell Jr. stated the 100 x 125 foot square, with room for drainage and slopes, 30 foot entrance, 20 foot driveway, so 2 cars can pass, and the 100 x 125 pad should have one foot of 3 inch crushed gravel covered by ¾ to 1 ½ inch crushed gravel with a 3% pitch. This area should hold about 15 cars. Tom McGurty mentioned to Will that he should bill and be compensated for his efforts concerning this endeavor.

Joyce Bakshi questioned if this would be considered a commercial parking lot, because if it is for every 10 spaces there needs to be a berm. Zoning should be checked. Could the CEO provide a waiver?

G. County Road: The Town has received an email from Deputy Sanborn regarding the seasonal postings. The road is still being used. David Winchell Jr. would like to table this discussion until next week.

8. NEW BUSINESS

A. Hazard Mitigation Plan:

Chief Smith was to present a query to allow the Fire Department to accept FEMA Funds. He was called to a fire call. Tabled until next meeting.

The Select Board is going to ask the Department Heads to provide contracts and business transactions a week before the vote to review said contracts.

B. District 1 Scope of Work:

Will Langley presented the Scope of Work for West Shore Drive and Willow Street. Tom McGurty asked if this was typical work and Will replied that every year some culverts need to be replaced. The road requires paving as the road has only been patched with cold patch. The work will be completed in one section at a time. Letters were sent out to all residents of both roads outlining the work to be done. David Winchell Jr. stated the Scope of Work is an estimate of the cost. If the cost of the work goes near to or above the estimated cost the Road Commissioner returns to the Select Board with a new estimate of the work to be completed. The Town Administrator stated the Road Commissioner Ordinance states the Commissioner shall present a Scope of Work in advance. The Articles of the Warrant state the amount to be expended.

Lee Robitore inquired when the work will be started and completed. Will Langley stated that the work would be started next week and is slated to be completed in September. The work will be completed in sections with one lane traffic.

A motion was made by David Winchell Jr. to approve the Scope of Work presented at a cost of \$41998.96. Tom McGurty seconded the motion. All in favor, motion carried 2-0.

Will Langley also reported that the engineer for the big culvert on the West Shore Drive is working on two sketches and one of them will be an in kind estimate. They could possibly be finished by next week and Will will keep the Select Board posted.

C. District 2 Scope of Work:

Adam Doliber presented a Scope of Work for New Bridge Road to repair culverts that are collapsing and water is being diverted.

A motion was made by David Winchell Jr. to approve the Scope of Work presented at a cost of \$8576.16. Tom McGurty seconded the motion. All in favor, motion carried 2-0.

D. Town Hall Water:

The Town Administrator reported that while seeking recommendations regarding the water system improvements with a company that will not bid on the water system upgrade, the recommendations were relayed that the chloride, manganese, and iron levels are too high, and that persons with diabetes, hypertension, kidney disease and the elderly should not use the water. The EPA Standards are set for a reason and the water should not be used for consumption.

The ARPA Funds the Town received can be used for the water system improvements. The question remains, should a minor filtration system be installed, or should a major reverse osmosis system be installed to avoid further pipe and equipment damage.

The Select Board recommended that an RFP be drafted and the bidders are to be provided with the water test results and are asked to provide their recommendations for a remedy to the situation. Then the Select Board could review the bids and choose the best remedy for the situation.

E. Covid Bonuses:

The Town has approved \$72525 for Covid bonuses based on hours worked in the amounts of \$250, \$500, \$100, and \$2000. The total amount to be distributed equals \$71948.

The distribution works out that to provide:

- \$250.00 a payment of \$349.00 would be made
- \$500.00 a payment of \$697.00 would be made
- \$1000.00 a payment of \$1392.00 would be made, and
- \$2000.00 a payment of \$2784.00 would be made

The extra amounts in the payments are to allow for the 28.15% taxes and FICA withdrawal. Dennis Long stated that he was happy to see that the disbursements were being made as the budget process had approved.

A motion was made by David Winchell Jr. to approve the Covid Bonuses as read at a cost of \$71948. Tom McGurty seconded the motion. All in favor, motion carried 2-0.

F. Agenda Policy:

A policy regarding Agenda Articles that require a first reading because of substance or details such as a transaction, agreement or action out of the ordinary or are an exception to established policy or are a request for not following standard policy should be presented to the Select Board at a meeting before an answer is expected to allow for review. This policy can always be waived and does not pertain to usual weekly articles. The Town Administrator will draft the policy and it will be presented when Kim Stacey-Horn returns.

G. Petition Policy:

The Town Administrator sought legal advice from Maine Municipal Association regarding a policy for petitions. The petition is to be presented in writing and will be submitted to MMA, free of charge, to be reviewed and legally crafted if necessary. If MMA states it is out of their scope, then the petition will be out of the Town's purview and the petition presenters must seek legal counsel elsewhere.

H. Parking Lots (Town Hall & Transfer Station):

Tom McGurty presented that he met with Robin Ham to discuss improvements at the Transfer station. He also stated that the project at the Transfer Station and the parking lot at the Town Hall and old gym building should engage a site engineer to provide plans for improvements. David Winchell Jr. stated that before an engineer is engaged, the future of the old building should be determined. The parking lot would entail more than just paving with concerns regarding the slope and the handicapped parking spaces. Tom McGurty stated that the future development of this site might include input from the Capital Improvement Committee what the impact of the site might look like. David Winchell Jr. stated that a Public Hearing is needed and more ideas would need to be generated regarding the site. Tom McGurty stated that the esthetics of the site to enhance the street view of the complex should be considered in an economical and thoughtful way. He inquired if there were funds to engage an engineering firm for the parking lot and Transfer Station improvement. David Winchell Jr. stated that there was money approved to repair the parking lot. Tom McGurty stated that perhaps Robin Ham could come to a Select Board meeting to explain what improvements were needed at the Transfer Station or maybe a site walk is in order. A public hearing will be held mid August regarding this project.

Joyce Bakshi reported that a company has been consulted by the Capital Improvement Committee regarding these issues. A draft of an RFP will be prepared by The Town Administrator to be presented for the Select Board.

I. Appointments:

Joseph Ruma was appointed to Capital Improvement Committee for a term of June 30, 2022 to June 30 2023.

A motion was made by David Winchell Jr. to approve the Capital Improvement Committee member Joseph Ruma. Tom McGurty seconded the motion. All in favor, motion carried 2-0.

9. PUBLIC COMMENT: None

10. ANNOUNCEMENTS

Wednesday, July 20 Select Board 6:00pm
Thursday, July 21 Planning Board 6:00pm
Wednesday, July 27 Select Board 6:00pm

11. MEMBERS PRESENT: David Winchell Jr. and Tom McGurty

12. ATTENDANCE - William Langley, Adam Doliber, Joyce Bakshi, Lee Robitore