

TOWN OF ACTON SELECT BOARD MEETING
March 22, 2023
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

2. WARRANTS/BILLS - Signed

3. APPROVAL OF AGENDA

Selectmen Stacey-Horn made a motion to approve the agenda; seconded by Selectmen Winchell. All in favor.

4. MINUTES OF LAST MEETING

Selectmen Stacey-Horn made a motion to approve the minutes of March 15, 2023; seconded by Selectmen Winchell. All in favor.

COMMENTS FROM SELECTMEN MCGURTY

Selectmen McGurty indicated the Warrant and Finance Committee was mostly supportive of the budget except for an increase in the Selectmen's Salary. During the last ten minutes of the Warrant & Finance Committee's meeting, all civility broke down and things were said that were derogatory and out of line. The Warrant and Finance Committee are not charged with supervising the Selectmen's management; the Selectmen do their best for the Town and work very hard to create a positive and supportive environment. The loss of good people are not based on the management of the Selectmen but other factors whereas they were given better job opportunities. Derogatory comments were made that were totally inappropriate and would never be permitted here in a Select Board meeting. There will be no opportunity for Public Comment on this as there was none for the Selectmen at the Warrant & Finance Committee meeting. The Select Board will be held with a tone of civility. Volunteers in Acton have a great spirit and are committed to the Town; all should be approaching their work in this Town in this manner.

Selectmen Stacey-Horn commented it was a bit much and appreciated Selectmen McGurty's comments.

Selectmen Winchell commented it turned personal but he stood up for the Board. Selectmen. Winchell indicated he takes his time to go to these meetings to keep everyone on the same page; he will not attend another Warrant & Finance meeting until the Chair is replaced. The committee is not represented correctly. Selectmen Winchell also indicated if a number should be changed for it to be brought up at Town meeting as an amendment. Too much happening behind the scenes.

Selectmen McGurty as liaison will plan on attending the Warrant & Finance meetings as support and an open avenue of communications. Many have had difficulties listening to this; let's put it behind us and work toward the betterment of the Town of Acton.

5. TOWN ADMINISTRATOR WEEKLY UPDATE

- The Code Enforcement Office will be closed Sat. March 25, 2023.
- The Town Clerk Office requested to close the office on April 20, 2023 - Training with MOSES and Inland Fisheries & Wildlife.

- Article 43 application received for funds; application is incomplete. Pending receipt of final application from Lakeside Drive.
- April 6, 2023, 6 pm - Public Hearing at the school on the 23/24 School Budget; Planning Board meeting that same evening.
- April 13, 2023 Planning Board Public Hearing on ordinances.
- Possibility of a Warrant & Finance meeting tomorrow night.
- Selectmen McGurty: Status of Audited Financial Statements have not yet been received. Deadlines have been passed to submit Town's statements. Extended until April 15, 2023. Auditors have promised March 31st. These are auditor issues, not the town's management.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

- Capital Improvement, Joyce Bakshi - awaiting on financial statements as well in order to finish up their work.
- Assessment of the Building -assessment was completed and the report is due by the end of next week.

7. LIAISON UPDATES - None

9. OLD BUSINESS

A. West Shore Culvert

- Legal sent a redlined contract draft; to be reviewed with Maureen tomorrow.
- Add dates for next week so that the town can go out to bid.
- A Follow up letter received from legal indicated no obstacles to the town moving forward. The Town must make a judgment call and believes it will fall within the exemption.
- Will be on next week's agenda for signatures.

B. Special Town Meeting Warrant

- Article four will be needed for the town to vote to appropriate xxxx from the unassigned fund balance to ratify the overdraft in the winter maintenance SY22; currently over 15%. Number to be provided at the last minute.
- Order of Article 2 and 3 flipped.
- The Recreation Department is now at a 10% increase: operating and salaries. Board was supportive.
- The Final budget needs to be drafted.
- The growth in the paving budget could not be supported. Requested an assessment of the condition of the roads, what needs addressed and how to address it; work towards this for next year. Longer term view; community transparency, discussion and engagement. Selectmen Stacey-Horn agreed. RSMS should help. The Selectmen Winchell budget has been done a couple of times with different styles; the Town Administrator accessed a nearby town article and how they do their roads. Selectmen Winchell was happy with the example and wanted to initiate that process in Acton. Each road is put on their own warrant article and the money is put into reserve accounts until used. Larger amounts of money on account until that job is done; to be voted on. When the job is complete, funds go back into undesignated funds, not another road. Takes the heat off the Road Commissioners. Rescheduling Workshop between Road Commissioners and Board on Wednesday, March 29, 2023 from 4 to 5 pm. Will Langley indicated he was pulling a special project and put out something forward for the June Town meeting. Selectmen McGurty asked

Mr. Langley to lay out where the \$250 will be going. Mr. Langley indicated he had a lot of maintenance items to get cleared up this year. Selectmen Winchell commented for Mr. Langley not to undercut himself. Good conversations for next Wednesday.

9. NEW BUSINESS

A.. School Board - Jonathan Ross and Andy Brazier

The School Board would like to access the capital reserves to be used for repairing the roof. This will lower the capital reserves for future use; might need to ask for the account to be refilled with Town funds.

Mr. Brazier outlined the roof project.

- Roof was installed in 1992; evaluated in 2018. Roof size is 25,000 sq. ft. and has a 10 year warranty exhausted. Most EPM Roofs (rubber roof) require service to help them have a life expectancy of 30 - 50 years.
- The solution the School needed to come up with would keep what the school currently has in place, repair the compromised areas, identify areas needing service and extend that life expectancy.
- All companies met with indicated that the roof was in relatively good shape and a good candidate for preventative maintenance over replacement.
- Three quotes were received. The best quote came from Massachusetts - Option 3 with a 15 year warranty.
 - Option 1: Pennsylvania Company proposed a roof treatment for \$107,000 All field seams, flashing and curbed areas would be treated. The area would be covered with a material and then coated.
 - Option 2: Northeast Roofing came in with a budget number of \$75,000.
 - Option 3: Massachusetts company came in at \$68,000 with a 15 year warranty.
- Mr. Brazier recommended Option 3 as it meets all the schools' needs and offers the 15-Year warranty (until 2038) which is a maximum life expectancy. Mr. Brazier described the components of the product system and agreed his recommendation was the best choice long term.
- Looking to have the roof completed during the summer.

B. Sign the School Special Town Meeting Warrant

Selectmen Stacey-Horn made a motion to sign the Town of Acton Special Town Meeting Warrant; seconded by Selectmen Winchell. All in favor.

- Note, now that the warrant is signed, this is a secret ballot referendum vote. Polls will be open on May 2, 2023 at 8 am - 8 pm.
- Absentee ballots will be prepared and ready in about 1 week.

C. RSMS

The RSMS program was changed by the program designer.

- Selectmen Winchell explained the timeline and how the town was not using it.
- Asked the owner to show a road plan. If it works, we will move forward; if not we will look at something different.

- A lot of time and money have been invested; now it needs to be moved on.
- The Designer has reviewed all data entered and will formulate a presentation.

C. Resignation

The Town Administrator read a resignation from Deputy Town Clerk Kayla Moulton. Kayla has been promoted to the Town of Shapleigh's Town Clerk.

Selectmen Stacey-Horn made a motion to regretfully accept Kayla Moulton's resignation; seconded by Selectmen Winchell. All in favor. The Board wished Kayla well and congratulated her on the new position.

D. Select Board Proposed Zoning Article

Selectmen McGurty was proposing that the Board put forth an article for a change to the zoning ordinance.

Read aloud: "The Planning Board is authorized to issue permits for building and land use purposes with provisions that are consistent with zoning ordinances adopted by the town. Any action recommended by the Planning Board that would deviate from the town's approved ordinances will be presented to the Board of Selectmen for approval"

- This is not a provision that in any way is currently in the ordinance.
- This should be reviewed by legal.
- This should be reviewed by the Planning Board.
- The Planning Board should be responsible that the Zoning Ordinance is adhered to and are in a great position to identify changes they think are appropriate and to bring those back to the town people (residents) for approval..
- As a protection the deviations will then come forward to the Select Board for approval.

Selectmen Winchell noted overtime some committees have overreached their duties and have impacted the town. Example cited: road intersections done with stripping. This now protects the Planning Board, assists the Select Board with knowing what is going on without being into the Planning Board's business and may alleviate some appeals coming forward.

Selectmen Stacey-Horn asked for more time to think on it. Discussion ensued on the timeline for review and presentation. Will be sent to legal for review.

Public Comment:

- Joyce Bakshi asked that ordinance be read aloud again
- Mr. Lopez asked what constitutes a deviation; examples were given.
- The Planning Board will be invited to next week's meeting.

E. Alarm Update

- Access to system reports is not available since the last update. System needs a cell phone line constituting a monthly fee of \$12.00. A contract rider was provided to the Board for signature.

Selectmen Stacey-Horn made a motion to sign the ADT contract; seconded by Selectmen Winchell. All in favor.

10. PUBLIC COMMENT

- Mr. Lopez asked about the update of RSMS data and has it been maintained regularly? It has not; when the designer presents this program we will know more information on how to decide to move forward. Mr. Langley indicated he needs a better way to input information. Discussion ensued; it will be figured out.
- Mr. Lopez commended Selectmen Winchell on bringing up the way Shapleigh does a project; he believed once a project is started it should be completed.
- Judy Shain thanked the Town Administrator for all of her assistance, W&F for their meeting participation and the Selectmen for moving the warrant forward. Budget books will be available before public hearing.
- Mr. Ross echoed Judy Shain's sentiments.

11. EXECUTIVE SESSION

Selectmen Winchell made a motion to go into Executive Session; seconded by Selectmen Stacey-Horn. All in favor.

Selectmen Stacey-Horn made a motion to come out of Executive Session; seconded by Selectmen Winchell. All in favor.

12. ANNOUNCEMENTS

March 16, 2023 Planning Board 6:00pm
March 18, 2023 Mary Grant 9:30am
March 20, 2023 Capital Improvement Committee 5:00pm
March 20, 2023 Warrant and Finance 6:00 pm
March 22, 2023 Select Board Meeting 6:00pm
March 27, 2023 Warrant and Finance 6:00pm
March 29, 2023 Select Board 6:00pm

13. MEMBERS PRESENT

Selectmen McGurty, Selectmen Stacey-Horn, Selectmen Winchell and Town Administrator Jennifer Roux.

14. ATTENDANCE: Joyce Bakshi, Ray Lopez, Will Langley, Jon Ross, Andy Brazier, Paula