

TOWN OF ACTON SELECTMEN'S MEETING
April 28, 2021
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- **Governor's Executive Order** – The Governor issued a new Executive Order today lifting the wearing of masks outside; all other COVID protocols are still in place including inside mask mandate. Masks at the Transfer Station masks will no longer be required.
- **Election Results** – There were 162 ballots casted. The Salt petition failed and all School Articles passed.
- **Zoning Board of Appeals** – The ZBA met and approved their findings of facts and voted to allow for a final extension for Gelia.
- **Code Enforcement/Land Use Openings** – These openings were run in the Portland Press Herald and a few applications were received for the Board to review. The Transfer Station also has a year round position open.
- **Recreation Committee Request** – The Recreation Committee Chair asked for clarification on article for the parking lot and approval from the Board on using budgeted money for the removal of trees and the parking lot.
 - **Trees \$1,400**
 - **Parking Lot \$1,000**

Will Langley approached the Board for part of the discussion which ensued regarding last year's warrant article and the disbursement of money. The discussion was to expend \$1,000 from the Rec Capital Improvement fund and \$1,000 for the Field/Parking Lot area for Mr. Langley's work on the parking lot, then the trees can be funded out of the remainder of that or their other budget. Selectmen David Winchell Jr. asked the Town Administrator how the article read for the \$2,000; the Town Administrator read the article aloud. Warrant article allowed for the entire area, cited as Field/parking lot. Based on how the article was written, it was possible to take the \$400 out of that budget line. The Board agreed there was enough money to do both items; however, based on policy, moving forward, the tree work needs to go out to bid.

3. WARRANTS/BILLS - Signed

4. APPROVAL OF AGENDA

Selectmen Ed Walsh made a motion to approve the agenda; seconded by Selectmen David Winchell Jr. All in favor.

5. MINUTES OF LAST MEETING

Selectmen Kimberly Stacey-Horn made a motion to approve the minutes for April 14, 2021 and April 21, 2021. All in favor.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES - None

7. OLD BUSINESS - None

8. NEW BUSINESS

A. Barn Lights Liquor Application Request

The Town Administrator informed the Board that a public hearing was held on Monday, April 26, 2021 via Zoom regarding the Barn Lights liquor license and no one spoke up with any concerns; the Fire Chief walked the property and inspected the buildings and had no concerns; the Sherriff Department had no concerns; there were no call ins at the Public Hearing, advertisement was ran in the paper and all requirements were met.

Selectmen Ed Walsh made a motion to grant a liquor license to Barn Lights Events and Wedding LLC doing business as Barn Lights; seconded by Selectmen Kimberly Stacey-Horn. Vote 2; 1 abstained (Winchell).

B. Code Enforcement Appointment

Michael Demers' Code Enforcement Officer appointment was due to expire and the Board decided to reappoint for an additional 30 days. regarding the amount of time to reappoint due to position still needs to be filled.

A motion was made by Selectmen David Winchell to appoint Michael Demers as Code Enforcement Officers pursuant of Title 30 M.R.S.A. 2602 effective until 5/26/2021; seconded by Selectmen Ed Walsh. All in favor.

C. Building & Personal Property Schedule

The Town Administrator reviewed the Building & Personal Property Schedule regarding contents located in and on the Town's property and/or buildings and their proposed corresponding amounts received from MMA Risk Services with the Board of Selectmen in order to make any adjustments to the dollar figures attached to each item. The Board discussed and recommended changes which the Town Administrator recorded. A few areas are best to be reviewed by the Fire Chief for assignation or verification; Transfer Station items will be checked with Mr. Mann. Once all amounts are determined, the Board will review and sign for submittal; the Board decided to allow Selectmen Kimberly Stacey-Horn permission to sign off when complete.

A motion was made by Selectmen Ed Walsh to authorize Selectmen Kimberly Stacey-Horn to sign MMA's form once all changes are made; seconded by Selectmen David Winchell Jr. All in favor.

E. Paving Bid

The current bid in place for paving is due to expire on June 30, 2021. Both Road Commissioners approached the Board to discuss when to go out to bid – end of year or lock down now. Discussion ensued. Consensus was to go out to bid effective July 1, 2021 advertisement will be release next week allowing time for it to run in May; Brox Industries in Rochester, NH was added to the bidder list.

F. W/F Questions

The Town Administrator received a list of questions from Warrant & Finance to review with the Board. The questions were as follows:

- **Can account numbers be added to Article 21?** The Town Administrator believed these were the rollover accounts. The Treasurer indicated she had no issue complying; the Board agreed.
- **Does Article 25 monies have to be carried forward following the year by statute?** Article 25 is the earned paid leave account. The Treasurer's response was it would make sense to carry forward for the funds rather than raising the funds annually as many will never use the time, so she does not expect the fund to zero out. The fund is not set up as a Reserve, so it will have to be included in the carry over fund article in the following year. The statute does not require the funds to be carried but does require that we fund it annually. So, the Treasurer thinks it makes more sense to carry it forward. Selectmen Ed Walsh indicated he was going for a recommendation.
- **Mr. Gore requested to receive a report from the State: the Internal Revenue Auditors Assessment report.** The MVR document that was given to him was not the document he was looking for. The Town Administrator sent this email to Mr. John O'Donnell, Assessor and he has out together a response.
- **Is there going to be a fresh air installed with the new furnaces and air conditioners?** Discussion ensued regarding inclusion in quote. The Town Administrator will double check to see if an air intake system is listed in the equipment specifications. If not in the specifications, the Board thought it made perfectly good sense to include; bid may need to be adjusted if it is not in there.
- **Article 17: Would the Board be willing to add a list of foreclosures in the Town Report with corresponding Map and Lot designations.** Discussion ensued. Properties are usually not Town owned but sold back in the property owner's hands by June 30th and the release of Town Report. Not sure if information is relevant to list. This item was tabled until the Town Administrator can pull the statutes and research request.
- **Was there a contract for Canal Bridge work?** There is a proposed contract. However, no contract was signed. Warrant & Finance has everything that was presented in the original packet; they may not have letter of intent (which was not accepted by the vendor). Mr. Long who approached the podium stated that the scope of work changed. The Board acknowledged the change but also indicated all information was passed to Warrant & Finance. The Town Administrator will check emails and resend.

Following the above discussions, the Town Administrator stated that she had not yet responded to all questions as she lacked the appropriate road knowledge to do so; the Town Administrator asked for someone to sit and assist with the responses. Discussion ensued.

Mr. Long spoke up to tell the Board that it is difficult to review Articles without knowing the right answers. He stated he tries to run a good meeting. The Town Administrator responded that now that the Warrant & Finance Committee will be reviewing General Government at their next meeting, she wanted to be there so that misinformation wasn't given. The Town Administrator recommended that the Treasurer also be there as well as the full Board to back up the Town Administrator and Treasurers statements. The Board agreed. Selectmen Ed Kimberly Stacey Horn and then Selectmen Ed Walsh indicated they would go to the meeting; Selectmen David Winchell Jr. concurred; the Town Administrator and Treasurer needed the support; he would also be there.

G. Resignation

The Board received a resignation from Jenny Norwood from the Recreation Committee.

Selectmen Ed Walsh made a motion to accept Jenny Norwood’s resignation from the Recreation Committee with regret; seconded by Selectmen David Winchell Jr. All in favor.

H. Freedom of Information

The Town Administrator indicated to the Board that she had received a Freedom of Information Request from Charles Crespi related to Martel’s. The Town Administrator replied indicating there have been no conversations or receipt of documents since the Code Office changed. A copy of the Planning Board information will be given to Mr. Crespi to review.

I. Executive Session M.R.S.A. 406 6 - A – 1

A motion was made by Selectmen Ed Walsh to go into Executive Session pursuant of MRSA 405 6 A-1 Personnel Matter at 7:00 pm; seconded by Selectmen David Winchell Jr. All in favor.

A motion was made by Selectmen Ed Walsh to come out of Executive Session pursuant of MRSA 405 6 A-1 Personnel Matter at 7:45 pm; seconded by Selectmen David Winchell Jr. All in favor.

Selectmen Kimberly Stacey-Horn indicated that the Selectmen will be starting the interview process for the Code Enforcement and Land Use Secretary open positions next week.

9. PUBLIC COMMENT

Mike Long approached the Board under Public Comment to ask the Selectmen why they couldn’t sign a contract for Canal Bridge. The Board responded that they had done a letter of intent indicating their willingness, but until the Town vote for the measure, they were unable to sign a contract with any dollar amounts attached.

10. ANNOUNCEMENTS

- 05/03/2021 - Warrant and Finance 6:00 pm
- 05/05/2021 - Board of Selectmen 6:00 pm
- 05/06/2021 - Public Hearing for The Shed 6:30 pm VIA ZOOM
- 05/06/2021 - Planning Board 6:00 pm
- 05/08/2021 - Mary Grant 11:00 am at the Preserve
- 05/11/2021 - Recreational Committee 5:30 pm
- 05/12/2021 - Capital Improvement 5:00 pm
- 05/12/2021 - Board of Selectmen 6:00 pm
- 05/19/2021 - Board of Selectmen 6:00 pm
- 05/20/2021 - Planning Board 6:00 pm
- 05/26/2021 - Board of Selectmen 6:00 pm

11. MEMBERS PRESENT

Selectmen Kimberly Stacey-Horn, Selectmen Ed Walsh, Selectmen David Winchell Jr. and Town Administrator Jennifer Roux.

12. ATTENDANCE

Dennis Long, Mike Long, Will Langley, Adam Doliber, Katelyn Long and Cheryl Drisko

A motion was made by Selectmen Ed Walsh to adjourn at 7:47 pm; seconded by Selectmen David Winchell Jr. All in favor.