

TOWN OF ACTON BOARD OF SELECTMEN'S MEETING

March 31, 2021 - 6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE
2. TOWN ADMINISTRATOR WEEKLY UPDATE
 - **T/S Open Position** – The deadline for the Transfer Station position was March 30, 2021, the Superintendent has asked that this deadline be extended. The Superintendent also asked that the Transfer Station Demo permits be suspended for 2 weeks due to staffing changes.
 - **Sign Request** – The signs that Road Commissioner District 2 asked to be ordered last week has been done.
 - **T/S Mask Adherence** – The Transfer Station has a new individual not adhering to the mask mandate. The Sherriff has visited said individual today regarding compliance; resident state he will continue doing what he is doing and the Town Administrator will correlate the residence issues and accommodations will be documented and followed up in writing via email communications.
 - **Thank you Letter** – The Board of Selectmen have received a thank you letter from the Town of Fryeburg for the Thermal Cameras.
 - **Foreclosure Properties** – Today is the deadline for pending foreclosures and 2 out of 3 properties were paid. This was phenomenal news as these properties were being lived in. One has been deeded back to the owners the other is pending. The property on West Shore Drive, which has been vacant for a number of years, the Town foreclosed in December and now the right to redemption period is closed, the Board of Selectmen need to decide how to move forward on this third property as far as a public sale, as there are many people interested in that property. Selectmen Kimberly Stacey-horn asked if there was anything that needed to be done to the property. The Town Administrator responded that it had already been taken care of and secured; insurance will recommend that the Board sell as is and the lawyers will draft a liability clause for the Town. The Assessor can be sent over to review since there hasn't been a reval in over 10 years and assign a fair price. It is in extreme disrepair. The Town Administrator noted there was no clarity if it is grandfathered or buildable; Code Enforcement will need to verify. Is it the Board's intention to get out from under it and sell the property under a tax sale? The Board responded yes. The Town Administrator informed the Board that the Assessor will be returning for part time and there is a Zoom meeting scheduled to touch base. April 1st is a big day on the Tax Calendar for Assessing; John O'Donnell's will be picking up all the applications to be processed (Homesteads, Veterans, Tree Growth), the Town Administrator will ask them to stop by and take a look at the property. The actual sale will probably take a couple of weeks; between taxes and elections the bid will probably not go out until May but it is already covered on the Town's insurance.
3. WARRANTS/BILLS - Signed
4. APPROVAL OF AGENDA -
A motion was made by Selectmen Ed Walsh to approve the agenda; seconded by Selectmen David Winchell Jr. All in favor.
5. MINUTES OF LAST MEETING
A motion was made by Selectmen Ed Walsh to approve the minutes for March 24, 2021; seconded by Selectmen David Winchell Jr. All in favor. (Stacey-Horn absent 3/24/21)

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

- Will Langley, District 1 Road Commissioner updated the Board regarding storm cleanup work and road sweeping schedules; the Road Commissioner also committed to notifying the Town when the road postings come down.

7. OLD BUSINESS - None

8. NEW BUSINESS

A. **CEO Resignation**

The CEO's letter of resignation was read aloud by Selectmen Kimberly Stacey-Horn.

A motion was made by Selectmen Ed Walsh to accept Michael Gilpatrick's letter of resignation; seconded by Selectmen David Winchell Jr. All in favor.

Selectmen David Winchell commented reason's Mr. Gilpatrick stated; the Town was not able to meet his new position benefits.

B. **Land Use Resignation**

The Land Use Secretary/E911 Coordinator also submitted a letter of resignation for which the Board accepted.

A motion was made by Selectmen Ed Walsh to accept the Land Use Secretary/E911 Coordinator's letter of resignation; seconded by Selectmen David Winchell Jr. All in favor.

Selectmen Kimberly Stacey-Horn thanked both. The Town Administrator for point of clarity stated that resignation read aloud stated April 9, 2021 as effective date, however, both individuals chose not to work out their notices and left today per their choice; until further notice the Office will be closed.

C. **Freedom of Information Request – Donahue**

Mr. Donahue requested the following:

- Contract details between Acton and York County Sherriff's office. The Town Administrator will pass the responsibility piece to Sherriff King for response as those stipulations are not listed in the contract.
- Any correspondences any Town Official has had with anyone, lawyer, Selectmen, Committee members, etc. (other than what has been discussed at recorded Selectmen meetings or Committee meetings) regarding the Citizen's Imitative petition regarding road salt. After scanning emails, the Town Administrator printed off a few which were sent to legal and the Warrant & Finance Committee. These will be prepared as part of the response; MMA due to COVID is currently still working from home and thus most legal responses have been verbally.

The Town Administrator will do her best to turn these around.

D. **Deputy CEO Appointment**

Due to unexpected midday staff changes, Mr. Demers, Code Enforcement Officer in Shapleigh was asked and agreed to assist Acton with Code related items in the interim, especially inspections for permits already in process. Mr. Demers is only interested in picking up 20 to 30 hours in Acton as he has a full time job in Shapleigh, so the Town will be using him as needed. This is an appointment through the end of April for that position. After speaking with Mr. Demers, the Town Administrator came up with a spreadsheet to log all calls which works for Mr.

Demers and will be updating him frequently.

Selectmen Davis Winchell asked about Mr. Demer's appointment to the planning Board. The Town Administrator responded that Mr. Demers was appointed to the Planning Board as an Alternate member but has not yet been sworn in. The land Use Attorney did say Mr. Demers could serve in both capacities at the same time as there is nothing in the ordinance that says he can't. If Mr. Demers actually started issuing permits, there might be a clause somewhere indicating it might not be in the best interest, so together the Town Administrator with Mr. Demers decided to hold off on taking his oath at this time. He is still interested, they have a full board, so he is going to hold off on holding that position until this resolves itself out then he will pick back up being a Planning Board member.

Selectmen Kimberly Stacey-Horn read aloud the appointment.

A motion was made by Selectmen Ed Walsh to appoint Mr. Michael Demers as Code Enforcement Officer until April 27, 2021; seconded by Selectmen David Winchell Jr. All in favor.

Selectmen Kimberly Stacey-Horn thanked Mr. Demers for stepping up and giving Acton a hand.

E. **W/F Meeting Follow-up**

After the W&F Committee met, the Town Administrator has some items to be followed up on:

- State Audit Rate – the Town Administrator was able to provide that day.
- Window Seals – Portland Glass has been scheduled for Friday to provide a quote.
- HVAC Federal Standards/Fresh Air - The Town Administrator did not look into it as the Heating Representative is trusted. The Town Administrator will reach out to Mr. Senecal to check and see if anything was needed to improve air quality or upgrade the system and respond to inquiry.
- Dam Contract – Selectmen Ed Walsh has a copy and will review before responding.
- Generator Specifications – Fire Department is working on this response.
- Work to be done at the Town Hall (Parking Lot/Gym Removal) spec request for next meeting to properly vote on the articles.

Board indicated that \$50,000 for the parking lot was put aside and the Gym removal was secondary. The Board knows this is an estimate and what they are budgeting for now is not enough so, the money singled out for these items will be going into reserve as these projects will not be done this year; specs have not yet been prepared.

- Heating and Cooling Specs – One quote has been received; waiting on second quote.

Selectmen Ed Walsh asked what the Capital Improvement Committee was going to look into; was it the Gym? Response – No, not the Gym.

Discussion ensued regarding Mr. Gore's request to clarify the word "specific to" regarding the Reserve Accounts to make sure it was being used the right way. The Town Administrator assured the Board of Selectmen that MMA wrote the article. The Board decided to leave wording alone as MMA is a sound authority. Mr. Gore will be informed that the Board would not be revisiting.

F. Executive Session M.R.S.A. 405 6 A -1

A motion was made by Selectmen Ed Walsh to go into Executive Session M.R.S.A. 405 6 A-1 personnel at 6:27 pm; seconded by Selectmen David Winchell Jr. All in favor.

A motion was made by Selectmen Ed Walsh to come out of Executive Session M.R.S.A. 405 6 A-1 personnel at 6:48 pm; seconded by Selectmen David Winchell Jr. All in favor.

A motion was made by Selectmen Ed Walsh to set the rate of pay for the temporary Code Enforcement Officer at \$35.00/hour; seconded by Selectmen David Winchell Jr. All in favor.

9. PUBLIC COMMENT – None

10. ANNOUNCEMENTS

(Subject to Change W/O Notice - visit www.actonmaine.org for official postings)

03/31	Board of Selectmen	6:00pm
04/01	Planning Board Meeting & Iron Tails Conditional Use Public Hearing/Zoom	6:00pm
04/06	Marijuana Committee	6:00pm
04/07	Board of Selectmen	6:00pm
04/08	Iron Tails Liquor Renewal Public Hearing / Zoom	6:30pm
04/12	Public Hearing for 04/27 Election	6:00pm
04/13	ZBA (in-person meeting)	5:00pm
04/14	Capital Improvement Committee	4:30pm
04/14	Board of Selectmen	6:00pm
04/15	Planning Board Meeting & Proposed Zoning Ordinances Public Hearing / Zoom	6:00pm
04/16	Recreational Committee	5:30pm
04/19	Warrant and Finance	6:00pm
04/21	Board of Selectmen	6:00pm
04/28	Board of Selectmen	6:00pm

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, Adam Doliber, Will Langley, Robin Ham, Mike Demers, Joyce Bakshi, Virginia Dober.