

SELECTMEN'S MEETING

May 13, 2020

6:00pm - ZOOM

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- W&F asked the TA to present to the Board their request to waive policy regarding committee vote to procure information and/or documents from the Town to be shared with their committees, during this budget season.
The Board decided they would waive the policy as long as the Committee Chair makes the request to the Town Administrator. The Town Administrator would then provide the information to the Chair, Board and every Committee member without seeking permission if the information is pertinent to the Budget. If the Town Administrator deems information is not relevant to the budget, she can then seek the direction of the Board of Selectmen.
- Department Head/Committee Chair Updates has stayed on the Agenda for the Board of Selectmen meeting has not yet been utilized during Zoom meetings. The Town Administrator sent an email to all Department Heads and Committee Chairs to state this was still available to them. No one has taken up the offer as of yet, but it is available.
- The Town Administrator asked the Board for direction on fulfilling a request from W&F to provide 7th Street information to that Committee to review, ie., all deeds and documents. The Board discussed intent, purpose and concerns as this was not related to the budget and was an issue voted upon by the Town last year. The Board decided that the Town Administrator could hand over the information, but was not to spend any time on doing any research or work surrounding this request. If any questions arise, the Town Administrator will direct those questions to the Board.
- The Town Administrator walked the Board through the Town Hall soft opening procedures and processes. An issue has arisen whereas the Town Administrator asked the Board for direction on how to proceed. There are property owners who have purchased new boats during the pandemic and want to come into Acton and use their camps for weekends during the summer. Staff has been directed when making appointments to confirm these persons are year round residents and have been in the State under quarantine. Out of staters are questioned on whether they have quarantined for the required 15 days. When they find out they can not register their boats at the Town Hall due to this process, they call back and when asked the question, they answer differently in order to get an appointment. The online process is not available through the state for new registrations. The edict of stating registrations are waived until 30 days after the state of emergency is lifted if for vehicles only and does not pertain to boats. The Board discussed. The Board decided that the rules have been set by the Governor and the Town will continue to adhere to her orders. As long as the Town is doing their part, they are not responsible for those persons who take it upon themselves to disobey.
- The Town Administrator recommended to the Board that since the soft opening protocols are going well with making appointments, staggering those coming into the Town Hall and disinfecting between transactions and the fact that the Governor has extended the State of Emergency orders until June 11, 2020 the Town Hall should continue these measures until June. The Board agreed.

- The Town Administrator notified the Board that the Assessor was in on Tuesday, May 12, 2020; the Town is still on track for tax commitments.
- The Town’s printing service has reopened. The Town Report will be sent to the printers this week. If the Board wants to give it another look through now is the time. The Town Administrator also asked the Board to put some thoughts around the dedication and some way to make it special.
- The Department Head of the Transfer Station has been working with the Town Administrator and wants to open the Recycling portion of the facility to residents. His plans are to educate with flyers, provide an outside tented area and only have limited access inside. Mr. Mann did not feel a need for masks inside. The Board discussed, the need for masks, especially inside the building, was a definite requirement.

3. WARRANTS/BILLS - Signed

4. APPROVAL OF AGENDA

A motion was made by Selectmen David Winchell to approve the agenda as written; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

5. MINUTES OF LAST MEETING

A motion was made by Selectmen Kimberly Stacey-Horn to approve the minutes from March 11, March 16 and May 6, 2020; seconded by Selectmen David Winchell. No discussion. All in favor.

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

7. OLD BUSINESS

A. Warrant

- The Town Administrator read an email to the Board from Arnold Murray of the W&F Committee questioning the way the Board was conducting the Special Town Meeting by secret ballot referendum, voting costs, and request for further legal opinions.

The Town Administrator had forwarded the email to the MMA’s lawyers, noting this was a pool of lawyers. The response from legal was the same response as received on two other occasions by two different lawyers when the same question was asked. The Town Administrator read out MMA’s legal response.

The Town Administrator then recapped the costs of the election under normal conditions as well as under the new edicts and protocols. The combination of the Special Town Meeting elections with the State Primary is actually a cost saving benefit as items needed for safe distancing (masks, disinfectants, etc.) and rental of counting machines (which were needed for rank choice voting and now a second one can be rented to count the Town’s referendum ballots are covered under the COVID reimbursements) are no added expense over what it would have cost to hand count votes and pay the workers to work the election.

The Board discussed the email, legal opinions and the Town Administrators recap of costs and stated that they, the Board, are not doing this because they want to, but are forced to by the State due to COVID19. The Board is staying on task, they have to do this and merging with the State voting day makes the best sense. We are not the only town performing these duties in this manner, there are many other towns doing the same thing and absentee voting is strongly encouraged. The Board has asked for MMA's legal opinion and received the same answers three times. It is what will be done.

The Town Administrator will send a copy of MMA's legal response to Mr. Murray.

- Decision on Road Commissioners

The Board was presented with two ways in which to handle the Road Commissioners and their crews. The choices were:

- To handle the Road Commissioners as Subcontractors.
- To continue as in the past with the Road Commissioner being Town employees.

The Board discussed the following items:

- Status of Dist 1 & 2 as appointed or elected.
- The Road Commissioner's would still be employed by the Town, town employee, but would have the authority of handling their workers as they deem fit including, salaries, hiring, firing, drug testing, etc. if considered Subcontractors. It is a benefit for the Road Commissioner but takes liability away from the Town. Crew's would be paid by the Road Commissioner's businesses, but subcontractors (i.e., F.R. Carroll) will still be paid by the Town.
- If the Road Commissioner's remain employees, all employed under them Road would need to follow Town's policies and protocols. The option of jumping on a job without everything in place (i.e., drug testing) would not be permitted.
- Timing for a change from Town employees to Subcontractors.

A motion was made by Selectmen David Winchell to approve Article 38 as written; Selectmen Kimberly Stacey-Horn seconded. No further Discussion. Vote 2-1. This becomes effective after the Town Meeting vote.

The Treasurer pointed out to the Board that they would need to conduct a workshop so that policies could be put into place and guidelines for payment submittals can be developed. Those that are currently employees of the Town who work for the Road Commissioners will need to be notified.

The Board also indicated during the public hearing the Town's residents should be educated or informed that the rates they will see on the ballot are the same as being currently paid, they are just being paid differently.

- Social Services

The Board reviewed the article as presented by the Town Administrator and Treasurer which broke the Social Service donation recipients into 3 groups, grouping like services together, to be voted upon. (See Exhibit B). After discussion, the Board decided they

liked the way this was presented.

- Article 47 - Recommendations

After meeting with the Recreation Committee to discuss anticipated revenues and expenses, it was determined to raise \$2,600 as this is the same amount as the expected decrease in revenues.

- There is no need to make any recommendations on 1 through 3.
- Selectmen Kimberly Stacey-Horn was posed to make a recommendation on number 4. The Town Administrator and Treasurer indicated to the Board that if they make a recommendation as written, then that recommendation cannot be changed if the W&F Committee finds something and wants to change it. The W&F Committee will be meeting with the Recreation Committee on Monday so it was suggested the Board hold off until Wednesday to make their final recommendations.

- Square Pond Grant Letter

The Town Administrator received a letter asking the Board to support their lake work projects. Karla Bergeron, Town Administrator in Shapleigh explained that the letter of support unlike Shapleigh will not commit the Board to any fiduciary commitments, but helps them get an approval of the grant they are applying for. Action however may benefit from grant dollars. The board agreed to send a letter of support.

8. NEW BUSINESS

A. 2020 Lawn Care

The Town Administrator notified the Board that it was time to renew the Lawn Care contract for 2020 or go out to bid. The current contract has offered to hold the contract rate at \$4,700. The Board indicated they were pleased with the Contractor in place and decided to not go out to bid this year but stay with the current contractor; the contractor is a local business, does a great job and held the rates the same as last year.

A motion was made by Selectmen David Winchell to award the 2020 Lawn Care contract to Ham's Property Maintenance at the cost of \$4,700; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

B Transfer Station Hire

The Town Administrator and the Transfer Station Department Head interviewed 5 candidates for the May - October open position prior to the COVID19 pandemic closing Town Hall. That department is ready to bring their candidate of choice on as a new hire. This candidate was both the Town Administrator and Department Head's clear first choice, does the Board wish for the liaison to do a second interview or can they proceed to hire? The Board decided given the pandemic circumstances and the abilities of both the Town Administrator and Transfer Station Department Head in making their selection, they will waive a second interview.

A motion was made by Selectmen David Winchell to hire Jeff Mallory to the Transfer Station in accordance with the personnel policy; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

Candidate will be notified that he has been hired.

C. Order to Call a Referendum Election – discussion was held during warrant discussion.

A motion was made by Selectmen David Winchell to sign an Order to Call a Referendum Election on July 14, 2020; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

D. Reopening Library

The Library Board of Trustees met and decided to take the Governor's directions for reopening the library. The Library's reopening will be done in 3 stages.

- Stage 1 - Wednesday, June 3, 2020 - No more than 1 person in the library and allowed 20 minutes.
- Stage 2 - July 1, 2020 - No more than 3 persons allowed in the library at any given time.
- Stage 3 - August 5, 2020 - Programming to resume with restrictions in place.

E. SRCC Appointment

As previously stated in the minutes, the Saco River Corridor Commission (SRCC) was seeking to fill 2 seats on their Board from a pool of Acton Residents or Property Owners. A candidate has stepped forward and in review of credentials is more than qualified to accept the position.

A motion was made by Selectmen Kimberly Stacey-Horn to appoint Charles Crespi to the SRCC Board in pursuant of Title 1 M.R.S.A. 30 (a) effective until November 1, 2021; seconded by Selectmen David Winchell. No Discussion. All in favor.

F. The budget books are available for the W&F Committee to have. Three of said books have been picked up; there are still 4 members to receive their books. Any changes to these books will be made available for replacement. An email reminder will be sent to the committee members.

9. PUBLIC COMMENT:

Email received from Mr. Arnold Murray - covered under Warrant section of agenda.

10. ANNOUNCEMENT

There are meetings scheduled for

- **Monday, May 18, 2020 - W&F , 6 pm**
- **Wednesday, May 20, 2020 - Board of Selectmen, 6 pm**
- **Thursday, May 21, 2020 - Planning Board, 5 pm**
- **Thursday, May 21, 2020 - W&F, 6:30 pm**

11. MEMBERS PRESENT

Selectmen Ed Walsh; Selectmen Kimberly Stacey-Horn; Selectmen David Winchell; Town Administrator, Jennifer Roux, Treasurer, Michelle Rumney and Shapleigh's Town Administrator, Karla Bergeron.

12. ATTENDANCE (screen names as designated on Zoom)

**Dan Krampetz, Leslie Berlan, Molly, Shannon Winchell, Rollins iPad, Deb Anderson, PGP
ipad 3 (mini), iPhone, Joyce Bakshi, Doug Haberman, Elise Miller, Richard, and laptop
(Cheryl Drisko).**