

SELECTMEN'S MEETING
September 16, 2020
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- The office has been busy with hundreds with Absentee Ballots.
- Taxes went out.
- Motor Vehicle Training and auditing to be held on September 29 and 30, 2020 at the Town Hall; the Town will move up to the next truck level (85,000 ton). With these trainings taking place, the Town Administrator asked that the office be permitted to close on September 30, 2020 from Noon to 4 pm so that staff's attendance to training can occur. The Board agreed.
- In reference to last week's decision to allow Town only use of Town Hall, the Town Administrator asked for clarity relating to the Library and their ability to hold a few events. The Board considers the Library's use of the Town Hall as long as it is cleaned up each event.
- The Board was updated that cleaning after meetings this past week has been kept up. Mary Grant Committee will be meeting on Saturday, September 19, 2020 at 11 am instead of 10 am. Meeting will be filmed.
- The generator is still acting up as explained in last week's meeting. If the power goes out at the Town Hall, the generator test will not occur. If there is no power loss, the test will occur. The generator company has been called and will be here on Monday 21, 2020 between 10 and 11 am to take a look. The generator is still under warranty.
- Two people have stepped forward to express interest in being on the Capital Improvement Committee. This is a 5 person committee and this makes 6 applicants; names will be presented next week.
- A resident with inappropriate behavior has been in the Town Hall recently. This individual has been spoken to and is not allowed on premise unless they go through the Town Administrator. There needs to be a conversation between said individual, the Contract Deputy and Town Administrator on Do's and Don'ts and information passed on to staff to react appropriately. Individual does not want to meet with Department Head for information but that is not an option.
- News has come from Sanford that about \$5,000 will be refunded to the Town of Acton from the Emery Dam project. Both Selectmen Ed Walsh and David Winchell were interested in being on the Committee.
- The Town Administrator and Road Commissioner District 1 will work together to put together a Sand & Salt write up for bid. It will be presented to the Board next week.

3. WARRANTS/BILLS

4. APPROVAL OF AGENDA

A motion was made by Selectmen Ed Walsh approve the agenda with the addition of D. Petition; seconded by Selectmen David Winchell. No discussion. All in favor.

5. MINUTES OF LAST MEETING

A motion was made by Selectmen Ed Walsh approve the September 9, 2020 minutes as written; seconded by Selectmen David Winchell. No discussion. All in favor.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

None

7. OLD BUSINESS

A. Pike Invoice

A new invoice was received from Pike with the H Road project separated out. This invoice has changed due to the addition of hand work for \$7,750 changing the approved amount of \$180,740 to \$188,490.

A motion was made by Selectmen Ed Walsh to amend and approve the Pike Industry quote for up to \$188,490; seconded by Selectmen David Winchell. No discussion. All in favor.

B. Personnel Policy

The Town Administrator reviewed past conversations and referred to the last two approve Personnel policy revisions, reading the wording. The Board needs to consider whether to leave as approved on the 10th or go back and change the sentence in question. Discussion ensued. The Board wished to leave as approved. Noting that the Treasurer also has some minor changes to the policy, the Town Administrator will prepare the document for a final review next week.

8. NEW BUSINESS

A. Town of Wakefield Presentation

Mr. Charlie Edwards made a presentation and discussion with the Board regarding a project to replace the Canal Bridge which is shared between Wakefield and Acton. His proposal was to use private companies instead of the State do to this work and lower the costs in the process.

A packet of information will be provided to the Board to review.

B. Tapscott Concerns

Mr. Nathan Tapscott approached the Board to read aloud a statement regarding Iron Tail noise concerns and unanswered discussions; listing dates and times of each correspondence and/or discussion. The Board thanked him and expressed that they are gathering information and looking into the matter. Mr. Tapscott will be notified when the item goes back on the agenda.

C. Long III Concerns

Mr. Dennis Long III approached the Board to lay out all of his qualifications and history as a potential candidate for the Road Commissioner's open position. The Town Administrator disclosed to Mr. Long III that if continued this course of conversation, the Board would be granted permission to disclose information that was not public. Mr. Long III stated that was fine and continued as he felt the Town needed to be aware of this information and felt the Board had no right according to the ordinance to reject all applications based on lack of skills and or his not having a CDL license. The Town Administrator stated the Board met, set the requirements as they deemed fit for the position, posted and advertised it, and reviewed said applications when the time

came. From there the Board made a decision to reject all applications

D. Petitions

The Circulator, Jeff Donahue turned in a petition on September 10, 2020 which the Town Administrator read aloud. The petition was signed by the voters under 2522 which constitutes an Open Town meeting vote. However, with COVID, the circulator asked that it be processed under 2528 which constitute a Secret Ballot. The Circulator has no authorization according to legal to make that change. The Board however, can take the petition and put on Secret Ballot if they so wish. If that is the case, the timeline for meeting related deadlines will need to be looked at. The Board asked the Town Administrator to start with legal and then go from there as they are not opposed to go before the people.

Selectmen David Winchell noted that a 20% mix will tie Road Agents hands on treating the roads, can't be proven on what is being used and the Town can't enforce what the State uses on the roads. Discussion ensued.

The Town Administrator will reach out to an attorney not related to a private road. The timeline will also need to be looked at to meet deadlines.

If legal indicates it is okay to pursue, the Road Committee will be considered for input.

9. PUBLIC COMMENT

- Dennis Long approached the Board to comment that he was offended last week when 2 employees publically chastised him as a citizen. Secondly he commented that he doesn't know if anyone who is running this Town knows what an ordinance is. It's the law and the Board of Selectmen has no authority to alter. He further indicated that he gets up and says things because it is wrong and the Board of Selectmen has broken the ordinance by adding CDL to job description. For clarity, the Town Administrator looked up the ordinance and qualifications were not listed. There is nothing in the ordinance to tie it with the job description. However, she will go through the statues to confirm.

Selectmen David Winchell commented that the job has been reposted and Mr. Long III was welcome to reapply.

- Mr. Toni Kondoleon approached the Board and thanked the Town Administrator for posting the Wakefield presentation on the web site so that he was able to see it and come to the presentation. Mr. Kondoleon stated he lived on Stewart Drive and had concerns regarding Buzzell Road and asked the Board to look into the damages being done to it and act accordingly. Further discussions revealed he attempted to get a response from Code Enforcement to no avail and cited that the developer deeded property to the Town.

Discussion ensued. The Town Administrator will look into this and respond back to the Board.

- Peter Baxter approached the Board to propose reopening the Gym as a nonprofit. His thoughts were to have the Town of Acton lease the building for 1 year and have no responsibilities or liabilities. Mr. Baxter stated he would fund the development of the nonprofit.

- The Board stated the proposal will need to be discussed with legal and they would put in all stipulations and numbers. As for the equipment, that could be a part of the agreement as the grant has long expired if this was a feasible option. Looking forward, the Board would have to approve all changes or maintenance on the building as it is Town owned.
- Mr. Joe Lombardozi approached the Board to comment on his concerns with Iron Tails regarding both noise and motorcycle traffic. The Board again reiterated that they are gathering information and looking into the matter.
- Mr. Greg Horr approached the Board to further list his issues with Iron Tails. He also has concerns with the noise coming out of there.

10. ANNOUNCEMENTS

- A. Road Commissioner Opening 09/23
- B. Public Hearing General Assistance 09/30
- C. There is a church in Sanford providing Senior's food boxes and if anyone would like more information to please contact the Town Administrator.

11. MEMBERS PRESENT

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

12. ATTENDANCE

Nathan Tapscott, Diane Tapscott, Anthony Kondoleon, Leslie Berlan, Joyce Bakshi, Greg Martinez, Dennis Long, Robin Ham, Charles Edward, Peter Baxter, Mike Long, Rollin Waterhouse, Will Langley, Jeremy Long, Brian Long, Joe Lombardozi, Greg Horr and Cheryl Drisko

A motion was made by Selectmen David Winchell to adjourn at 7:50 pm; seconded by Selectmen Ed Walsh. All in favor.