

**ACUSHNET BOARD OF SELECTMEN  
REGULAR MEETING  
TOWN HALL MEETING ROOM  
AUGUST 8, 2023**

**I. CALL TO ORDER  
PLEDGE OF ALLEGIANCE**

*Present:* Chairman Kevin Gaspar, Sr., Selectman David Wojnar, Selectman Robert Hinckley, and Town Administrator James Kelley

Chairman Gaspar welcomed the room to the meeting with the Board of Selectmen on August 8, 2023 at 5:15 PM EST. Chairman Gaspar asked for a motion to call the August 8, 2023, regular meeting of the Board of Selectmen to order. Selectman Hinckley motioned to call the meeting to order. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor.

**II. MINUTES TO BE APPROVED BY THE BOARD OF SELECTMEN**

Chairman Gaspar stated that the first order of business was to approve the minutes of July 11, 2023 Regular Session, approve the minutes of July 18, 2023 Executive Session, to approve the minutes of July 25, 2023 Regular Session, and to approve the minutes of July 25, 2023 Executive Session. Chairman Gaspar asked if there was a motion to approve the stated minutes. Selectman Hinckley motioned to approve the stated minutes. Selectman Wojnar stated that he was absent from the meetings, so Chairman Gaspar seconded the motion and asked for those in favor. All were in favor. Motion passed.

**III. MEETING MAIL**

**IV. APPOINTMENTS**

Chairman Gaspar stated that there was a brief recess subject to the call of the Chairman to give recognition to the 7<sup>th</sup>/8<sup>th</sup> Grade and Post Grad AYSA Division 1 Boys Soccer Teams on the front steps of the Town Hall.

**1. AYSA Winning Team Recognitions**

Selectman Wojnar introduced the Board of Selectmen to the audience and thanked them for the opportunity to present these awards to the athletes. He stated that he is proud of the boys' behavior and is thankful for how well-maintained fields that they were able to practice on. Chairman Gaspar read the citations for the coaches and athletes and handed out the awards. Selectman Wojnar read the names of the 7<sup>th</sup>/8<sup>th</sup> Grade boys, and Selectman Hinckley read the names of the Post Grad boys. The Select Board congratulated the athletes.

## V. NEW BUSINESS

Chairman Gaspar called the meeting back to order.

1. Interim Treasurer/Collector's letter to Board of Assessors on Abatement of Uncollectible Personal Property Taxes

Chairman Gaspar explained that the Interim Treasurer/Collector is looking to clean up the books for uncollectible person property taxes dating from 2001-2019 that are too old to collect. He continued to read from the letter that abating these taxes will allow the Treasurer/Collector's office to move forward to create a collection plan. Chairman Gaspar also mentioned that the sum of the uncollectable personal property taxes adds to roughly \$18,000. Chairman Gaspar asked if there was a motion. Selectman Hinckley motioned to authorize the intern Treasurer/Collector to refer uncollectible personal property taxes from 2001 to 2019 to the Board of Assessors for abatement to clear the uncollectable amounts off of the general ledger, thus bringing the general ledger up to date. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Motion passed.

2. Appointment of Kristin Flynn to Finance Committee

Chairman Gaspar explained the need for members to join the Finance Committee for over a year now. He stated that the Board of Selectmen received a Letter of Interest from Kristin Flynn and read her letter. Her letter explained her residency in Town, her professional roles related to finance, and her education history. Ms. Flynn spoke on her commitment to the Town and the roles she has served to make her qualified for the position; she thanked the Board for their consideration to appoint her as a member of the Finance Committee. Chairman Gaspar thanked Ms. Flynn for her commitment to her community, Selectman Wojnar thanked her for stepping forward, and Selectman Hinckley noted that the Chairman of the Finance Committee needed someone knowledgeable like her. Chairman Gaspar asked if there was motion to appoint Kristin Flynn to the Finance Committee. Selectman Hinckley motioned to appoint Kristin Flynn to the Finance Committee. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Motion passed. Ms. Flynn thanked the Board, and Chairman Gaspar reminded Ms. Flynn to be sworn in by the Town Clerk before attending any Finance Committee meetings.

3. AFSCME CBA

Chairman Gaspar stated that Selectman Hinckley and Mr. Kelley had been working on this item. Selectman Hinckley stated that he met with Scott Tavera of the Union due to the need to categorize the different classes of employees due to differences in the needs of uniforms, holidays, and things of the like. He stated that a Memorandum was created to break the ASCME contract down into 4 different units.

1. Sub-Unit Determination

- Clerical employees will be classified under "Unit A"
- Library employees will be classified under "Unit B"
- Custodial and Maintenance employees will be classified under "Unit C"
- Fire and Police dispatchers will be classified under "Unit D"

2. Library Holidays

Chairman Gaspar noted that the Library Holiday schedules for 2023, 2024, and 2025 were presented for the Board, and the need for an alternative schedule for the library is due to different hours/days of operation as the Town Hall. Mr. Kelley informed the Board that if and once the items are approved, the Board will present a document to AFSCME, then they will approve it and sign it, then it will return to the Board for another set of signatures. Chairman Gaspar asked to confirm that there will be no action from the Board, just an update. Mr. Kelley confirmed. All Board members were okay with what was presented.

4. Electric Vehicles Buy-Out Option

Chairman Gaspar mentioned that a timeline was in progress for the 3 electric vehicles that the Town leased. He noted that the Green Energy's Community Grant was used in the beginning of these leases. He continued to state that there is a buy-out clause for the 2 Chevy Bolts that must be done before Friday of that week. The buy-out price of each Bolt is \$20,564. He stated that he has interest in letting the Nissan Leaf lease mature due to previous repair concerns. He wanted to buy-out the 2 Chevy Bolts and allocate 1 to the Conservation Agent, if need be. Chairman Wojnar asked to confirm that the vehicles reside on Town property and do not go home with any of its drivers. Chairman Gaspar confirmed that they stay on Town property unless approval to do otherwise by the Board of Selectmen. Chairman Gaspar asked Mr. Kelley if a reserve fund transfer is needed due to being time-sensitive. Mr. Kelley confirmed that \$41,128 would need to be transferred from the reserve fund.

Chairman Gaspar stated that he is in favor of buying the 2 Chevy Bolts for the use of the department heads. Chairman Gaspar asked if there was a motion to buy out the 2 GM vehicles and to turn over the Nissan Leaf. Selectman Hinckley motioned to buy out the 2 GM vehicles and to turn over the Nissan Leaf. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Motion passed.

Chairman Gaspar asked if there needs to be a motion to replenish the reserve funds at the Fall Town Meeting, at which Mr. Kelley stated that he spoke with the Accounting Department and there will be enough funding to put back into the reserve at the Fall Town Meeting.

5. Apple Peach Festival One Day Liquor License Approval

Chairman Gaspar noted that this liquor license is given to the Lion's Club every year, as there were 2 one-day all alcohol licenses in their application. Chairman Gaspar asked if there was a motion to approve One-Day All Alcohol Liquor Licenses on September 9, 2023 and September 10, 2023 from 10 AM to 6 PM for the Lion's Club. Selectman Hinckley motioned to approve One-Day All Alcohol Liquor Licenses on September 9, 2023 and September 10, 2023 from 10 AM to 6 PM for the Lion's Club. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Motion passed.

6. Apple Peach Festival – Safety Committee

Chairman Gaspar asked if Mr. Kelley or Selectman Hinckley had anything to discuss for this, and Mr. Kelley stated that he would like to readdress this in the Town Administrator's Report. No votes taken.

7. Lake Street invoices - \$37,999 out of the Chapter 90

Chairman Gaspar turned this item over to Selectman Wojnar. Selectman Wojnar stated that when he took over this project in 2020, the committee believed that the guard rails would be paid by existing Chapter 90 funds, at which they were committed to. He stated that they intended that any gaps would be filled by the article that they received. Selectman Wojnar stated that the request was approved on August 10, 2018 for the cost of \$36,000. Selectman Wojnar wanted transparency with the situation and stated that there are funds in the Chapter 90 account that are not allocated to any other projects. Chairman Gaspar stated that he was not sure if there had been legal votes done on this funding; however, the item was in front of the Board for review. Chairman Gaspar stated that as long as the \$38,000 in the article are being allocated toward urgent expenditures, he is fine with giving funds to pay for the guard rails from Chapter 90. Selectman Wojnar stated that the committee had been budgeting and approving projects under the assumption that the guard rails would come from Chapter 90 funds. He stated that the amount left in the article are planned to be put toward weed remediation, and is willing to allocate those funds toward the guard rails since weed remediation was not happening at that moment. He reiterated that the weeds will not be done due to alternative use of funding for the guard rails. Selectman Wojnar wanted to remind the Town that rumor of the committee running out of funds was false, at which the reality was that the anticipated funds for this project were placed under a different impression than reality let be.

Chairman Gaspar stated that the funds need to be delegated better for the Town meeting. He also mentioned that he spoke with Mr. Kelley regarding the use of hydro-raking instead of chemical treatments for the reservoir for weed remediation, since residents use that water to grow their crops. Chairman Gaspar wanted to discuss the weed problem with the City of New Bedford. Selectman Wojnar showed concern for Town Meeting budgeting requests. Selectman Hinckley believed that the weeds need to be addressed and agreed

that it may be easier to appropriate a smaller sum of money at the Town Meeting. Chairman Gaspar asked if there was a motion to secure the guardrail funding out of Chapter 90 funds. Mr. Kelley informed the board that the figure came out to be \$37,990. Selectman Hinckley motioned to approve the sum of \$37,990 for the Lake Street guardrails appropriated out of Chapter 90 funds. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Motion passed. Selectman Wojnar suggested added reflectors onto the guard rails, and Chairman Gaspar mentioned adding lighting to the street, as well.

8. 48 Guillotte Street Right of First Refusal

Chairman Gaspar reminded the Town that the Board of Selectmen voted to forgo their Right of First Refusal for 48 Guillotte Street on September 13, 2022. He continued to state that there was a letter that was sent back that must be reviewed once more because this effects the affordable housing stock. Chairman Gaspar needed more information before making any decisions. Mr. Kelley stated that he would not be comfortable signing documents regarding this matter unless the Board approved. Chairman Gaspar asked if there was a motion to hold this upon receiving more information. Selectman Hinckley motioned to hold this upon receiving more information. Selectman Wojnar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Motion passed.

**VI. OLD BUSINESS**

1. 55+ Community Housing Discussion

Chairman Gaspar stated that this is a discussion that has been ongoing since Selectman Wojnar's election and believed that it is important to have this as long as it is affordable. Chairman Gaspar stated that the current bylaws state to see the Zoning Board of Appeals. Selectman Wojnar believed that he would rather see more 55+ Community Housing instead of more solar farms. Selectman Hinckley fears seeing the 55+ community leaving Town due to unaffordability to stay here. Chairman Gaspar suggested making Selectman Wojnar be a liaison to create an effective 55+ zoning bylaw. Selectman Wojnar asked the Board to provide what they think would be a perfect bylaw so that he can draft a cohesive bylaw. He asked to have this communicated through Mr. Kelley to be complaint to the Open Meeting Law. He said that he would like this to be presented at the Town Meeting.

2. Town-Owned Land Parcels Under 20,000 Square Feet Discussion

Chairman Gaspar passed over this topic due to no new information.

**VII. SELECTMAN ANNOUNCEMENTS**

1. Chairman Gaspar stated that there will not be a Cruise Night this year that is run through the Town. He stated that there may be discussions for private parties to

have a Cruise Night on private property. He was saddened to share this news, but hopes the next year will bring a bigger and better Cruise Night.

#### **VIII. TOWN ADMINISTRATOR'S REPORT**

1. Mr. Kelley stated that the Fire Department has purchases that need to be settled from the opioid settlement and ambulance reserve.
2. Mr. Kelley noted that the Town Accountant sought the acceptance of the Omnibus Municipal Reform, provisioned for change of the New Gross Certification to correspond with the fiscal year instead of the calendar year. The Town Accountant also asked that a warrant article be there for the 2024 fiscal year budget to note the adjustment in revenues as the state budget changes, reflect free cash certification. The Town Accountant also noted that there will be past year bills that must be allocated from upon the determination of the Board of Selectmen and Finance Committee. He added that this allocation may be determined if it will come from Town funds.
3. Mr. Kelley stated that the Town Administrator's Office is looking for articles for authorization of Town property sale:
  1. RFP Sale – The Russel Memorial Library
  2. Small lots of "no value" that are under 20,000 square feetChairman Gaspar noted that he would like to consider having historical restrictions on Russell Memorial Library. Mr. Kelley assured Chairman Gaspar that the RFP sale would allow this, rather than a straight auction.
4. Mr. Kelley stated that he has interest in involving the Town in Old Colony's co-op program. Mr. Kelley stated that he wanted to bring this idea to the board to allow for IT and carpentry co-op students to work for the Town. He stated that the funding aspects would be finalized as time gets closer.
5. Mr. Kelley stated that the Yes program this summer was very successful; Mr. Kelley stated he would like to have a moment to ask the students what they have learned, as well as congratulate them for their work this past summer.
6. Mr. Kelley stated that the Conservation Commission is looking to amend the storm water bylaw. He stated that they plan to hold appropriate meetings to inform the public body.
7. Mr. Kelley informed the Board that the planning board is looking to change certain bylaws that pertain to solar. He continued to state that the Commonwealth changed the special permit from 2 years to 3 years, as the maximum. The Town can have less, but it must be stated in the bylaw. The Planning Board wants a 2-year term limit.
8. Mr. Kelley stated that there has been discussion for a sewer bylaw amendment.

9. Mr. Kelley stated that there has been discussion regarding the 55+ Community Housing bylaw amendment. He said that the Planning Board can bring it forward.
10. Mr. Kelley described the discontinuances of ineffective remnants of paper streets.
11. Mr. Kelley mentioned Lake Street. He said that there will be an alternative method used instead of chemical weed remediation.
12. Mr. Kelley stated that there is a AFSCME contract placeholder for the need of any changes.

Selectman Wojnar mentioned paying off long-term debt, such as paying off the schools early to decrease tax bills for tax payers. Mr. Kelley stated he will talk to Mr. Hilltop to see what can be paid off early and see the funds available now versus in the future. Chairman Gaspar asked for confirmation that there will be free cash that is certified and available for Town Meeting, and Mr. Kelley stated that is correct. Mr. Kelley and Chairman Gaspar briefly spoke of solar payments and the schools. Mr. Kelley spoke with the Town Accountant and stated that the interest rates are high.

13. Mr. Kelley stated that November 6, 2023 is preliminary date for the Fall Town Meeting. Mr. Kelley stated that Committees and Boards need to schedule public hearings. He stated that a warrant can be set for September 12<sup>th</sup> or 19<sup>th</sup>. He reminded the committees that they must be scheduled, signed, and posted.

#### Administrative Issues:

- a. Mr. Kelley stated that there are vacancies for Town positions that need to be filled. He discussed the Town Planner role with Fairhaven and they do not have an interest sharing their Town Planner with Acushnet, but may consider it in the future.
- b. Mr. Kelley mentioned that there has been an increase in the number of allotted hours for one maintenance worker.
- c. Mr. Kelley noted that a YES worker was assigned to landscaping.
- d. Mr. Kelley added that a custodian was hired to assist primarily at the Council in Aging.
- e. Mr. Kelley stated that the Building Commissioner has been advertised for both fulltime and parttime positions.
- f. Mr. Kelley stated that the Treasurer/Collector position has been re-advertised and one candidate had been interviewed, and discussions for another interim have occurred.
- g. Mr. Kelley met with the Golf Course Greens Committee. He stated that there had been problems with Senior Staff not following the chain of command. He said that the management committee needs to address this themselves and the consultant's recommendations should be considered.
- h. Mr. Kelley stated that the Town Administrators brought in EMA, Fire, Police, DPW, Eversource, and the COA director to discuss emergency response and

hurricane preparedness. The concerns were that the waters are warm and could carry strong hurricanes up the coast.

- i. Mr. Kelley stated that there was a board meeting with the Mass Strategic Health Group, the new group the Town is with. The Assistant Treasurer Collector is the representative of the board from the Town. Notifications to retirees have started being sent.
- j. Mr. Kelley stated that the Lion's Club 2 One-Day Licenses for the Apple Peach festival are taken care of. The parade, traffic, control and security have been discussed and officers are being allocated and paid for through overtime and the Town's funding. The detail officers will be funded through fundraising of the committee. Fire details will be split between Town and committee funds. Mr. Kelley explained the one-way traffic.

**IX. INFORMATION ONLY**

**X. FUTURE BUSINESS**

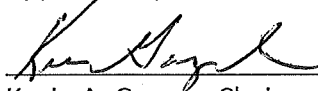
1. Chairman Gaspar stated that the next regularly scheduled Board of Selectmen meeting will tentatively be held on August 22, 2023.
2. Chairman Gaspar stated that the next Soil Board meeting will take place on August 16, 2023 at 6 PM at the Council on Aging.

**XI. EXECUTIVE SESSION**

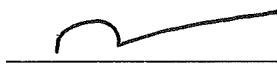
**XII. ADJOURNMENT**

Chairman Gaspar asked if there was a motion to adjourn the August 8, 2023 Selectmen's Meeting. Selectman Wojnar motioned to adjourn the August 8, 2023 Selectmen's Meeting, and Selectman Hinckley seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Meeting adjourned.

Approved by:

  
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Kevin A. Gaspar, Chairman

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Robert Hinckley, Member

  
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David Wojnar, Member