

**ACUSHNET BOARD OF SELECTMEN
REGULAR MEETING
TOWN HALL MEETING ROOM**

Tuesday, September 14, 2021

I. CALL TO ORDER

I call the September 14, 2021, regular meeting of the Board of Selectmen to order. I want to remind all present that this meeting is being audio and video recorded. Those present were Chairman David Desroches, Selectman David Wojnar.

Please rise for the Pledge of Allegiance.

II. CONSENT AGENDA

The Consent Agenda only requires a single motion as follows:

Should the Board concur, the following motion may be in order:

To approve the Consent Agenda including the release of the minutes of the Regular Session Board of Selectmen's Meeting of August 31, 2021 as presented. Tabled

III. MEETING MAIL

1. LETTER OF INTEREST, CULTURAL COUNCIL, COMMUNITY PRESERVATION COMMITTEE, AND HISTORICAL COMMITTEE: COURTNEY WHITE

Chairman Desroches motioned to appoint Ms. White to the Cultural Council, Community Preservation Committee, and Historical Committee, Selectman Wojnar seconded and all were in favor. Motion Passes. The Board will notify Ms. White of her appointment.

2. LETTER FROM CHARLES RIVER WHEELERS CRANBERRY CENTURY BIKE RIDE

Charles River Wheelers Cranberry Event ride on October 3, 2021 through Acushnet. The Police Chief & Fire Chief has signed off. Selectman Wojnar motioned to approve, Chairman Desroches seconded and all were in favor. Motion Passes.

3. LETTER FROM EMA REGARDING PARKING AT 14 THOMAS ST. PARKING LOT

Director of EMA Gerard Bergeron requested that the BOS make the lot at 14 Thomas Street available only to members, sometimes for weeks at a time residents

park in the lot & take up spots for the volunteers. He would like to make it available to only the members of EMA. Chairman Desroches motioned in favor of posting signs, Selectman Wojnar seconded and all in favor. Motion Passes.

IV. APPOINTMENTS

1. SOIL BOARD RE-ORGANIZATION

Previous order of the Soil Board were department heads and Members of the Board of Health & one member of the Board of Selectmen. The Board of Selectmen have been appointed as the Soil Board Commission.

The Soil Board needs to re-organize and elect a chairman and vice chairman, Chairman Desroches being Chairman of the Board motioned to be chairman and Selectman Wojnar vice chairman Selectman Wojnar seconded and all in favor. The Board also appointed Pat Hannon as secretary member of the soil board, Selectman Wojnar seconded.

2. SOIL BOARD BY-LAW UPDATE-

The Board explained some of the changes in by-laws from 1989 things have changed since then, changes were approved by Attorney General's Office to make applicable changes due to earth and other products and talks about new additions to include what a gravel pit would encompass regarding disturbed soil & undisturbed. The BOH spelled out soil removal permitting to include but not limited to the soil and quarry in definition to dust control & management. Pat Hannon told the board that the newly updated Soil Bylaw has more detailed definitions of what the elements of the earth are, as well as rules and fees if rules are violated. Selectman Wojnar stated he did not want to see PJ Keating close because of the updated bylaw, he would like to see them follow the rules and be good neighbors to the residential houses.

Selectman Wojnar mentioned PK Keating is an employer and he wants to make sure the residents know that he is shadowboxing with PJ Keating for them to remain their operation and he is not a wind expert or dust expert and an ability to levy fines should be going forward and sent out to every soil permit in town to know we are paying attention. Selectman Wojnar wants to make sure they have the tools in place to allow Keating to remain in operation but hold them accountable. There has to be rules and fees for structure, hours of operation and levy fines. The bylaw, will be how they handle Keating moving forward. Mr. Hannon said that there is a \$300 a day fine in place for violations. If Keating violates the operating hours every day for 30 days that could be a \$9000 fine. Resident Kevin Smith came in he's from Lawson Avenue across from Keating, he hopes that with these fines, things will help. He spoke about air quality study because there are at least four neighbors who have cancer or some kind of breathing problems. The neighbors would just like updates

on what is happening. Chairman Desroches said it is a step by step process and all the concerns are being addressed, work is being done, but it takes time. PJ Keating has been banned from operating and have not blasted since October. Mr. Smith said that there are still trucks in and out hauling and making dust in the air. Mr. Hannon said that he has received a grant to get eight air monitors to do air quality studies, and is hoping that will start in October. Chairman Desroches said the bylaw is the first step to addressing all the concerns and the process is being addressed.

Selectmen Wojnar motioned for Julie, Jeff & Pat to look at a fee schedule for the soil removal, Chairman Desroches seconded and all were in favor. Motion Passes.

V. OLD BUSINESS

1. WASTE MANAGEMENT CONTRACT APPROVAL

The DPW has been working with Waste Management to come up with a solid contract to perform automated waste & recycling in accordance with the RFP dated January 20, 2021 and Town Counsel has approved the contract.

Chairman Desroches approved the contract, Selectman Wojnar seconded and all were in favor. Motion Passes.

VI. NEW BUSINESS

1. CARES FUNDING

Chairman Desroches motioned to approve the funding for the Ipad for the Planning Department due to the fact that the new Planner needs it for outside work. Chairman Desroches motioned to approve the funding, Selectman Wojnar seconded and all were in favor. Motion Passes.

2. RIGHT OF FIRST REFUSAL ROBINSON ROAD Map 7 Lot 7

Mr. Gilmore is asking to waive the right of first refusal on the above parcel.

Assessors have no objection to this and if the BOS would like an appraisal –value of land present and full cash value.

Selectman Wojnar spoke about solar pilots doesn't want to keep assessment over what project assessed at.

90% pilot in a steady stream depreciates very quickly tax obligation is always there.

Tax revenue goes into capital expenditure fund. Pilots make plenty of money and upside makes great sense. Item tabled to next meeting.

3. RESERVE FUND TRANSFERS (Planning Department)

The Planner would like to hire a part-time Clerk due to more work in the office. Chairman Desroches motioned to approve \$6,800.00, Selectman Wojnar seconded and all were in favor. Motion Passes. Discussion was made to update Planner with GIS software, Chairman Desroches motioned to approve \$4,500.00 for GIS /Training, Selectman Wojnar seconded and all were in favor. Motion Passes. Discussion was made to update Planner with Adobe software, Chairman Desroches motioned to approve \$1,000.00 for Adobe Suite, Selectman Wojnar seconded and all were in favor. Motion Passes.

VII. DEPARTMENT OF PUBLIC WORKS

1. SEWER PRIVILEGE FEE

Chairman Desroches motioned to approve 2 Labonte Street sewer privilege fee the parcel detailed has applied to the connection into the sewer system, Selectman Wojnar seconded and all were in favor. Motion Passes.

VIII. TOWN ADMINISTRATORS REPORT

X. INFORMATION ONLY

1. Under info only the Board mentioned Vacancies on appointments and Commissions: Please consider serving your community by submitting a letter of interest to the Board of Selectmen:

- ❖ Agricultural Commission – 1 Vacancy; 2 Alternate Vacancies
- ❖ Beautification Committee – 10+ Vacancies
- ❖ By-Law Review Committee – 1 Vacancy
- ❖ Community Preservation Committee – 2 Vacancies
- ❖ Cultural Council – 2 Vacancies (was put in as 2, research was done and found they can have up to 22 members)
- ❖
- ❖ Historical Committee – 1 Vacancy

XI. EXECUTIVE SESSION

1. Chairman Desroches motioned under the following, Selectman Wojnar seconded and all were in favor. Roll call vote followed. All yes vote.

"Executive Session under G.L.ch.30A§21(a)(3) to conduct strategy in preparation for negotiations with union personnel or to conduct contract negotiations with union personnel (AFSCME Clerical Union, DPW, Police & Fire/EMS) also to discuss strategy with respect to litigation if an open meeting will have a detrimental effect on the

bargaining or litigation position of the public body as the chair so declares and the Board will not return to public session, no votes taken.

2. "Executive Session under G.L.ch.30A§21(a)(3) to conduct strategy in preparation for negotiations with union personnel or to conduct contract negotiations with union personnel (AFSCME Clerical Union Wage/Classification) also to discuss strategy with respect to litigation if an open meeting will have a detrimental effect on the bargaining or litigation position of the public body as the chair so declares and the Board will not return to public session, no votes taken.
3. "Executive Session under G.L.ch.30A§21(a)(3) to discuss strategy with respect to litigation (P.J. Keating) if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares and the Board will not return to public session, no votes taken."

Approved:



David Desroches,
Chairman



David Wojnar
Member