

**ACUSHNET BOARD OF SELECTMEN
REGULAR MEETING
TOWN HALL MEETING ROOM
JULY 25, 2023**

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

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

Absent: Selectman David Wojnar

Chairman Gaspar welcomed the room to the Board of Selectmen meeting on July 25, 2023 at 4:30PM EST, and noted the absence of Selectman Wojnar due to traveling with the Acushnet/Fairhaven Babe Ruth baseball team for the Regional Championship finals. He congratulated the team and wished them luck. Chairman Gaspar motioned to call the July 25, 2023, regular meeting of the Board of Selectmen to order. Selectman Hinckley 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

1. Chairman Gaspar pass over minutes from the July 11, 2023 Board of Selectmen meeting for the next Board of Selectmen meeting due to incomplete review. Chairman Gaspar asked if there was a motion to pass over the July 11, 2023 Board of Selectmen's meeting minutes, and Selectman Hinckley motioned to postpone the approval of the July 11, 2023 BOS meeting minutes. Chairman Gaspar seconded the motion and asked for all in favor, and all were in favor. Motion passed.

III. MEETING MAIL

IV. APPOINTMENTS

V. NEW BUSINESS

1. Slocum St. – Vote to Approve County ARPA Funds Usage for Police Detail

Chairman Gaspar explained that the Board of Selectmen is taking action to repair Slocum Street and its sidewalks, etc. that are decades overdue. He stated that the funding for this will come from ARPA funds and the Transportation Bond Bill. Chairman Gaspar asked if there was a motion to approve the use of county funds. Selectman Hinckley motioned to approve the funding with ARPA of police detail assignments in the amount of \$20,000 associated with the Slocum Street Infrastructure Improvement project including police details needed for the conduct and completion of engineering services performed by Woodward & Curran under the pursuant to the Grant Agreement executed between Bristol County and the Town of Acushnet Board of Selectmen. Chairman Gaspar seconded the motion and asked if all were in favor. All were in favor. Motion passed.

2. Ambulance Bill Abatement

Chairman Gaspar stated that the abatements up for discussion were recommended to be dismissed by Chief Farland and the finance department in order to clean up the books per the newly developed policy.

Chairman Gaspar asked if there was a motion to approve the abatement for run #22-274854 for the amount of \$2,252.53. Selectman Hinckley motioned to approve the abatement for run #22-274854 for the amount of \$2,252.53, and Chairman Gaspar seconded the motion and asked if all were in favor. All were in favor and the motion passed.

Chairman Gaspar asked if there was a motion to approve the abatement for run #21-168003 for the amount of \$345.60. Selectman Hinckley motioned to approve the abatement for run #21-168003 for the amount of \$345.60, and Chairman Gaspar seconded the motion and asked if all were in favor. All were in favor and the motion passed.

Chairman Gaspar asked if there was a motion to approve the abatement for run #22-163799 for the amount of \$1,646.40. Selectman Hinckley motioned to approve the abatement for run #22-163799 for the amount of \$1,646.40, and Chairman Gaspar seconded the motion and asked if all were in favor. All were in favor and the motion passed.

3. Safety Committee – Apple Peach Festival

Chairman Gaspar stated that discussion was conducted between Chief Richmond, Chief Farland, Selectman Hinckley, and Mr. Kelley regarding safety concerns for the Apple Peach Festival. Mr. Kelley stated that they discussed issues with the Festival and the Parade, the Lion's Club is conducting the parade, yard sales, temporary "No Parking" signs on one side of Main St, no candy at the parade, and no walkers (only vehicles) in the parade. He noted that the Lion's Club picked up their One Day permit applications that day. He continued to state that a large concern regarded the estimates for Fire and Police details; the estimate for Fire was \$2,700 for details, and the estimate for Police for the festival was \$5,400 and \$1,200 for the parade. The estimated total for this year was \$9,300, but Mr. Kelley stated that only \$2,500 was taken from the Celebrations Budget in the previous year. Chairman Gaspar stated that he did not want to formalize anything that night due to the absence of Mr. Fortin, but he was concerned about the cost of the detail estimates. He then asked Chief Farland to come to the podium to discuss the Fire/EMS estimate, since this had never been a cost in past years.

Chief Farland elaborated on the equipment and dedicated personnel that Fire/EMS used in the previous year. He stated that in previous years, he used funds from the overtime budget to cover the costs of staffing the Apple Peach festivities. Chairman Gaspar asked Chief Farland if he could cover the Fire/EMS costs this year in the same

way he had done in the past, and Chief Farland said that he could make it work. Chief Farland added that he can absorb this cost better this year than in the past due to the proper staffing in his department. Chairman Gaspar stated that he prioritizes the safety of the community and would commend Chief Farland if he is able to absorb these costs to alleviate some of the financial strain.

Chief Richmond took the podium and began stating that he has more concern over the staffing at the Apple Peach Festival than the funds. He stated that previous years were understaffed. He plans to increase the numbers of officers present, as well as create a one-way northbound between Lake St and Robinson Rd during the Festival. He mentioned that the \$5,000 to \$6,000 expense may be detrimental to the Police Department's end-of-year budgeting. Chairman Gaspar asked for clarification of the one-way and noted that it may cause confusion for north-bound travelers. Chief Richmond showed his concern for pedestrian safety and stated that the lack of accidents from previous years is a miracle. Chief Richmond said that aside from the officer that the Lion's Club hires, there would be 6 officers sporadically rotated during the festival. He explained his staffing plan: 1 across from the Country Whip/Robinson Road, 1 at the intersection of Lake Street and Main Street, 1 for the pedestrian bus at the feast grounds, 1 at Quaker Lane, and 2 to walk the grounds of the Apple Peach Festival. He reiterated the need for public safety.

Selectman Hinckley noted that the true cost of running the Apple Peach Festival has become clear this year; however, funds need to be raised because the Town cannot absorb \$9,300 annually. He continued to state that the cost to host the festival will increase so much that the Town will not be able to afford to have the festival. He recognized that Sue and Tom have done great job over the past 40 years, but they need more volunteers and should consider applying for grants. He also recognized the struggle of understaffed officers and agrees that public safety is a great concern. Chairman Gaspar suggested for this discussion to continue at the next Safety Committee Meeting and touch upon it again at the next Board of Selectmen meeting. Chairman Gaspar stated that he reached out to private businesses for donations, and he informed the viewers on television that they are welcome to donate, as well.

Chief Richmond reminded the Board that they must submit a MassDOT request for feelers. Selectman Hinckley stated that he spoke with the person in charge of the parade regarding assistance to cover some of the parade detail costs, and they should be in touch soon. Chief Richmond mentioned that EMA volunteers from the surrounding towns have helped manage the parade in years past and may be able to do the same this year. Selectman Hinckley asked Chief Richmond which side of Main St will have "No Parking" signs. Chief Richmond replied that the Police Department will post the signs along the sides of the road that have telephone poles, resulting in alternating zones. Chairman Gaspar reiterated for the public audience that the designated area of closure will be the south-bound portion of South Main St. along the feast grounds.

Mr. Kelley noted that a valid committee is needed for communication with the State regarding grants, therefore more volunteers are needed on the Apple Peach Festival Committee. Chairman Gaspar volunteered Selectman Hinckley to serve on the committee. He also stated that the deadline for this year's grants has passed, according

to Mr. Schmid, and asked Selectman Hinckley if he would take care of this. Selectman Hinckley stated that he would be happy to have this responsibility to prevent playing "catch up," and that his wife would be happy to join and assist with the non-profit grants. Chairman Gaspar thanked Selectman Hinckley, and Selectman Hinckley thanked Chief Richmond for attending the meeting during his vacation. No votes taken.

4. Set Fall Town Meeting Date November 6

Chairman Gaspar asked if there was a motion to establish November 6, 2023 as a preliminary date for the Fall Town meeting. Selectman Hinckley motioned to establish November 6, 2023 as a preliminary date for the Fall Town Meeting. Chairman Gaspar seconded the motion and asked for all in favor. All were in favor. Motion Passed.

5. Bike Memorial Design Approval Vote

Mr. Kelley explained that representatives from the Southcoast Bikeway and Heather, the Director of the COA, spoke with the DPW regarding a memorial. He stated that the memorial will be privately funded, and the construction of attaching a bike to a pad with pole will be privately conducted. He also made clear that there will be no funds coming from the tax payers. Chairman Gaspar asked if there was a motion to approve the bike memorial design. Selectman Hinckley motioned to approve the bike memorial design. Chairman Gaspar seconded the motion and asked for all in favor. All were in favor. Motion Passed.

6. 55 Community Housing Discussion

Chairman Gaspar passed over the 55 and over Community Housing discussion due to Selectman Wojnar's absence.

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

Chairman Gaspar stated that several town residents abutting small, postage stamp lots owned by the Town asked if they could purchase these lots. He stated that Mr. Kelley is familiar with a bylaw that may allow the sale of these lot types. Mr. Kelley stated that through the RFP process or Town Planner, the Town of Duxbury will be sending information over to him regarding something similar they had done. Chairman Gaspar stated that he spoke with Kelly Koska from the Assessor's Office regarding this matter, and she stated that there must be a review of legal documents, an insertion of a land disposition article in the Town Meeting warrant that requires a two-thirds vote, and several other processes for this to go forth. Mr. Kelley stated that this should be on the Town Meeting agenda if it occurs in November.

Chairman Gaspar asked Mr. Kevin Smith of 161 Lawson Avenue to come to the podium. Mr. Smith introduced himself and explained the lots and paper streets of Lawson Ave. He stated to the Board that he abuts a paper street that is 40 feet in width. He explained that there must be a petition presenting to surrounding abutters to eliminate a paper street. He continued to state that one needs to come forth the Town, Conservation, and any other boards to determine if the paper street can legally be

decommissioned. Mr. Smith then explained that his and his neighbor's lots are unbuildable, therefore cannot be sold for newly erected structures. He stated that it would be itemized at a Town Meeting to then be surveyed, assessed, and sold to increase tax revenue from the Town. He stated that he believed that at one point, it would not be of any cost due to it being a paper street. He stated that he submitted information to the Town Clerk to be warranted, and he stated that he was able to get signatures from his neighbors.

Chairman Gaspar stated that in many cases, paper streets are half or fully owned by abutters, and therefore action does not need to be taken. He continued to state that if the Town owns the paper street, it would need to be decommissioned and transferred per the legal process. Mr. Smith stated that he understood that there may be fees involved in the process. Chairman Gaspar reminded Mr. Smith that the Board is strictly reviewing Town-owned parcels under 20,000 square feet of land because there are a limited number of these specific parcels. He continued to state that the CPC was established around 2004 to preserve large masses of recreational open space, at which these postage-sized lots are not. He also noted that being an abutter does not guarantee that the land will become theirs and that the lots, per location, will range in value and buildability depending on zoning regulations. Mr. Smith asked Chairman Gaspar if this item was started with the previous Town Administrator, and Chairman Gaspar replied stating that it had gone nowhere. Chairman Gaspar emphasized the importance of the CPC and how postage-sized lots differ greatly in concern.

Selectman Hinckley stated that he spoke with Kelly from the Assessor's Office about a month and a half prior to the meeting regarding collecting a preliminary list of land lots that the Town owns. He continued to state that he reached out to her the day before the meeting to narrow down the list to being parcels of 20,000 square feet or less that lack conservation restrictions. He thinks that this is something that will benefit the Town and its people. Chairman Gaspar motioned to have Selectman Hinckley do research on this subject matter and report back to the Board with how many properties the Town has fitting this criteria. Selectman Hinckley seconded the motion and Chairman Gaspar asked for those in favor. All were in favor. Motion passed.

8. Privilege Fees for 35 James Street & 37 James Street

Chairman Gaspar asked if there was a motion to approve the Sewer Privilege Fee of \$14,011.57 pursuant to the Town's bylaws for 35 James Street. Selectman Hinckley motioned to approve the Sewer Privilege Fee of \$14,011.57 pursuant to the Town's bylaws for 35 James Street. Chairman Gaspar seconded the motion and asked for those in favor. All were in favor. Motion passed.

Chairman Gaspar asked if there was a motion to approve the Sewer Privilege Fee of \$14,011.57 pursuant to the Town's bylaws for 37 James Street. Selectman Hinckley motioned to approve the Sewer Privilege Fee of \$14,011.57 pursuant to the Town's bylaws for 37 James Street. Chairman Gaspar seconded the motion and asked for those in favor. All were in favor. Motion passed.

9. Barksdale Lane Land Purchase Inquiry

Chairman Gaspar stated that the 25 acres of land that Mr. and Mrs. Ciano want to purchase is something that the Town and Board of Selectmen would not be interested in selling. Mr. Ciano went to the podium and introduced himself. He stated that he agrees that the Town should not sell off large pieces of land; however, the land he is interested in is landlocked and abuts his property. Chairman Gaspar questioned Mr. Ciano on why the Town would want to sell off 25 acres of forestry that could be wiped out, like the solar farm on the same road. Mr. Ciano questioned what makes this landlocked, Town-owned acreage different than the other parcels of land they are considering to sell, besides the lot size. Selectman Hinckley informed Mr. Ciano that the Town receives grants for its acreage of open space, and losing 25 acres of open space may impact future grant funding. He also added that state requirements and the CPC require a certain amount of open space for funding allocations. Mr. Ciano claimed that surrounding towns allowed residents to purchase open space, but not allow them to touch the property. Chairman Gaspar stated that he appreciates that Mr. Ciano planned to use that acreage for farming; however, the next owner of his property may use the space for unpredictable reason. Mr. Ciano stated that his current property has restrictions and the acreage in question has no frontage, asking the Board to be openminded to his purchase request. Chairman Gaspar stated that he could keep an open mind, but believes that the townspeople will strongly reject selling off large tracks of land.

Chairman Gaspar suggested the idea of leasing a portion of the 25 acres of open space to Mr. and Mrs. Ciano, depending on legality. He stated that the land would be used for strictly agricultural reasons and that the land may not be disturbed. Chairman Gaspar asked if there were trees or open land within the acreage, at which Mr. Ciano stated that both exist. Chairman Gaspar stated that he wanted to visit the property the following weekend and mentioned that Mr. Kelley could further explore the legal avenues for this idea. Selectman Hinckley applauded Chairman Gaspar for his creativity, and Chairman Gaspar stated that he wants to promote as much agriculture in the community as possible.

Chairman Gaspar motioned to designate Mr. Kelley to research the leasing of agricultural land pertaining to this particular situation. Selectman Hinckley seconded the motion. Chairman Gaspar asked for those in favor. All were in favor. Motion passed.

10. Oliveira Avenue Paper Street Inquiry

Chairman Gaspar described the request by the owner of 35 Oliveira Avenue regarding the paper street in front of his property. He described the approximate 4,000 square foot parcel as brush-ridden, and the paper street leads to nowhere due to development on Rogerson Avenue. He continued by stating that this is an example of what he is hoping for the Town to get rid of because at the end of the day, this "helps out a neighbor." Mr. Kelley reminded Chairman Gaspar that discontinuing a paper street is a topic for a Town Meeting. Chairman Gaspar stated that he is fortunate to have Selectman Hinckley on board with this type of idea. No votes taken.

11. John Abaray, Jr.– Citizens Interest Form for Community Preservation Committee
Chairman Gaspar explained that the purpose of this appointment is to formalize the appointment for Mr. Abaray due to incomplete filing. He stated that Tania, Pam, and himself are working to clean up the books and establish expiration dates for terms. Chairman Gaspar asked if there was a motion to appoint Mr. John Abaray to the Community Preservation Committee. Selectman Hinckley motioned to appoint Mr. John Abaray to the Community Preservation Committee. Chairman Gaspar seconded the motion and asked for those in favor. All were favor. Motion passed.

12. Jesse Ellis – Citizens Interest Form for Community Preservation Committee
Chairman Gaspar stated the reason for appointment for Mr. Ellis is for the same reason above. Chairman Gaspar asked if there was a motion to appoint Mr. Jesse Ellis to the Community Preservation Committee. Selectman Hinckley motioned to appoint Mr. Jesse Ellis to the Community Preservation Committee. Chairman Gaspar seconded the motion and asked for those in favor. All were favor. Motion passed.

13. Paulette Hudson Letter of Interest for the Cultural Council
Chairman Gaspar stated that he has known Ms. Hudson for a long time, as she has been a lifelong resident of Acushnet. He stated that she is currently on the Board of Directors for the COA and Coastline Elderly. Chairman Gaspar asked if there was a motion to appoint Ms. Paulette Hudson as a member of the Cultural Council. Selectman Hinckley motioned to appoint Ms. Paulette Hudson as a member of the Cultural Council. Chairman Gaspar seconded the motion and asked for those in favor. All were in favor. Motion passed.

VI. SELECTMAN ANNOUNCEMENTS

1. Chairman Gaspar informed the public that a scammer had hacked the portal and is falsely impersonating him. This scammer was making false claims and had been contacting several people from an email address that is not of Chairman Gaspar. He claimed that some topics that are falsely stated are on the topic of PJ Keating. He stated that there will be an investigation on this.
2. Selectman Hinckley thanked Chief Richmond for attending the BOS meeting during his vacation.
3. Selectman Hinckley thanked Chad from the Summer Recreation program for doing a wonderful job. He reminisced on the days he partook in the Program and how it made a lasting impression on him. Selectman Hinckley promoted the program and the fun activities that it offers. He continued to recognize those working for the Parks Department and the Summer Recreation Program.

VII. TOWN ADMINISTRATOR'S REPORT

Mr. Kelley stated that various items of his concern were addressed in the meeting. He also noted that there will be items to consider in the future as the time comes to discuss the Fall Town Meeting.

VIII. INFORMATION ONLY

IX. FUTURE BUSINESS

1. Chairman Gaspar stated that the next regularly scheduled Board of Selectmen meeting will be held on August 8, 2023.

X. EXECUTIVE SESSION

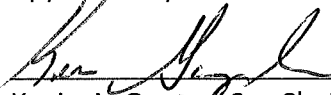
Chairman Gaspar asked for a Roll Call Vote to enter Executive Session. Selectman Hinckley said yes and Chairman Gaspar said yes. Chairman Gaspar stated that Executive Session had begun.

"Executive Session under G.L.ch.30A§21(a)(3) to discuss with respect to collective bargaining or litigation (Police Personnel) if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body as the chair so declares and the Board will not return to public session."


XI. ADJOURNMENT

Chairman Gaspar asked if there was a motion to adjourn the July 25, 2023 Selectmen's Meeting. A Motion to Adjourn the July 25, 2023 Selectmen's Meeting was motioned by Selectman Hinckley, and Chairman Gaspar seconded the motion. Chairman Gaspar asked for those in favor, and all were in favor. Meeting adjourned.

Approved by:



Kevin A. Gaspar, Sr., Chairman



Robert Hinckley, Member

David Wojnar, Member