

TOWN OF ACTON SELECT BOARD MEETING

May 4, 2022

6:00pm

1. **CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**
2. **WARRANTS/BILLS : Signed**
3. **APPROVAL OF AGENDA: Kimberly Stacey-Horn made a motion to approve the agenda. The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.**
4. **MINUTES OF LAST MEETING : Tom McGurty made a motion to approve the minutes for April 26, 2022 and April 20, 2022. The motion was seconded by Kimberly Stacey-Horn. All in favor, motion carried 3-0.**
5. **TOWN ADMINSTRATOR WEEKLY UPDATE:**
 - **Liquor Licenses:** Barn Lights and Willys/The Shed have applied for liquor licenses. All appropriate departments concerned have been notified. A public hearing will be held on May 11, 2022, before the Select Board meeting at 6 p.m.
 - **Auditor's Presentations:** Tuesday, May 10, 2022 there will be presentations by two auditors. A Zoom meeting will be seen at 4 p.m. for approximately 45 minutes and an in person presentation will be at 5 p.m. The audit presentations will be held with public attendance, but no participation. Questions from the public could be sent by email to the Town Administrator and filtered through the Select Board.
 - **Canal Bridge:** To check on the erosion control and the bridge scoring process, the Town Administrator contacted Dustin Dorr from Erosion Control and Jim Foster, a Bridge Ranger, to come before the Board with recommendations of what is to happen next. David Winchell Jr. reported that he is also a certified erosion control inspector.
 - The unpermitted manmade bridge on Great East Lake has been removed.
 - **The Mousam Dam Coalition** meeting will be May 18, 2022. Ronald Legere explained to the Town Administrator that he did not know about the coalition agreement. Adele Scritchfield, Lee Robitell, and Tom McGurty will attend the meeting.
 - **The York County Sheriffs Report:**
 1. A domestic disturbance call
 2. Two serious crimes in Acton, one regarding firearms and one related to a sex crime
 3. A traffic stop resulting in discovery of a false inspection sticker in Acton
 4. Deputy Frasier is in his sixth week of canine training
 5. A domestic violence call in Acton
 6. In Shapleigh, a warrant arrest on four outstanding warrants
 7. In Acton, a subject trespassing
 8. The Department is participating in Honor Guard and Color Guard training
 9. A subject was stopped for speeding and was found to be under the influence of alcohol
 - **Water testing at the Church:** The Town Administrator contacted the church regarding water testing. They stated that they will test the water and report the results back to the Town Administrator.
 - **Appointments:** Committee appointments expire in June. The Town Administrator asked if she should contact the current members about reappointments. David Winchell Jr. stated that members could be contacted to see if they wanted to continue. Tom McGurty stated that the Town could

collect nominations, advertise for committees, and post on media to reach out to potential volunteers. David Winchell Jr. stated that people are not removed from committees unless they do something egregious. The Town Administrator said that she would reach out to people won't see the postings.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES: None

7. OLD BUSINESS:

A. Sign 2022-2023 Warrant:

Kimberly Stacey-Horn made a motion to sign the Warrant as written.

The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

B. Acceptance of Payments Policy:

The Town Administrator read the policy aloud.

Kimberly Stacey-Horn made a motion to approve the policy as written.

The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

C. Access to Public Meeting Policy:

The Town Administrator read the policy aloud.

Kimberly Stacey-Horn made a motion to accept the policy as is.

The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

D. Brush Removal:

Will Langley received more quotes for the brush removal. Two of those contacted replied, "No thank you." Two written bids were received.

York Wood Tree bid: \$19,800

Thomas Hukins bid: \$10,000

Previous bid: \$30,000

The brush would be piled up until the removal in July. The company would be checked for liability insurance and a W-9.

Kimberly Stacey-Horn made a motion to accept the Thomas Hukins bid at \$10,000.

The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

E. Siding Bid:

One bid was received from Beaver Cove, Maine bid: \$59,759.00.

The Select Board recommended asking for more bids with adjustments to allow more time for completion.

8. NEW BUSINESS:

A. Treasurer Position:

The Town Administrator reported that the Treasurer has earned a longevity bonus of \$1800 and she would like permission to proceed with payment. She has also earned a 3 week vacation buy-out via established policy.

The Town Administrator inquired as to how the Select Board would like the Treasurer's position to be advertised: Full time or using the proposed Engagement #1 or with a part time position of 21 hours per week. State law mandates that the Town must have a Treasurer. Kimberley Stacey-Horn stated she was not comfortable making a determination until after the Auditor presentations.

David Winchell Jr. stated that Michelle was a really good Treasurer for a really long time, and he has no issue with the current Treasurer position. Tom McGurty stated that this was an opportunity

to change the Treasurer position with Engagement #1 and using an auditor. David Winchell Jr. stated that having an in house Treasurer was a benefit and he did not feel that having an outside person was right. Tom McGurty inquired as to how many open Treasurer positions there were in the State. The Town Administrator replied there were four open positions that she was aware of. David Winchell Jr. said the Town should stay the course. Tom McGurty stated before a Treasurer is hired the Town should look at an auditing firms scope of work. He stated that a firm would provide value to the accounting process and would assist in the budget process. He stated that The Town would then receive accounting on a regular basis. He stated that the surplus for the Town is excessive. There are many improvements to be made to reduce the undesignated surplus and that it should not be more than 10%. The transparency of an auditing company would provide transparency and add a value to the Town to consider. Tom McGurty then went on to say there should be an internal control in the payroll process. The municipal budget should be the advisor of the department's budgets. The surplus keeps the tax rate higher than it should be. The process should be examined and strengthened. The yearend P & L should be closer to the budget to reduce the surplus, unless the plan is to have a surplus.

The Town Administrator stated that there was five years of steady revenue to offset the tax rate. Tom McGurty stated he disagreed. He stated that the Town should listen to the auditor's presentation and determine if it right for Acton or not. He stated that it is difficult to hire qualified applicants.

David Winchell Jr. stated that rather than raise and lower taxes, it is better to stay steady.

Tom McGurty stated that the forecast should be updated; the end of the year is troubling. There needs to be internal controls with the Town's 3 million dollar budget and the payroll needs to be updated. The Town Administrator stated that the hourly rates are in the TRIO program.

Tom McGurty stated that the accounts need to be maintained with due diligence and information in the whole budget process is lacking.

David Winchell Jr. is not in favor of Tom McGurty's plan. He stated, "If it ain't broke, don't fix it." There are no issues with the Treasurer, Michelle is confident, and maintained a great working atmosphere.

Tom McGurty stated Engagement #1 is a great opportunity. He stated that the School Department could also benefit from Engagement #1 with their 5 million dollar budget.

Davis Winchell Jr. replied that the school system is managed fine. They have a Finance Director and Superintendent to oversee the budget.

Tom McGurty made a motion to bring in an Auditing firm in to listen to the presentation and refrain from advertising for a Treasurer. The motion was not seconded. No vote was taken.

David Winchell Jr. made a motion to post the Treasurer's position at 35 hours, as it was, asking for municipal experience, accounting experience, and being qualified. Kimberly Stacey-Horn seconded the motion. Two in favor, Tom McGurty opposed the vote, motion carried, 2-0, 1 opposition.

B. School Finance Department:

Kimberly Oliver, Finance Director of the Acton School, wanted to know when an auditing service would be available as she usually has a pre-audit in April in preparation for the final audit and during the summer in anticipation of rectifying the balance after the fiscal year. She stated that the nutrition rules have changed along with many other changes due to the new Federal rules. She has subsidies and funding that must be dispersed or they fall into a reimbursement system. She was reassured by David Winchell Jr that an auditing firm would be hired. Kimberley asked if the school could just have the RHR Smith firm that she has worked with for the last ten years and is

very comfortable with their work. Tom McGurty stated that they would confirm an Auditing service and maintain the school's deadlines.

She also stated that a surplus was returned to the Town because of pandemic monies and not because of a budgeting issue.

C. District 2 Scope of Work:

Adam Doliber stated that Lebanon Road needs work. There is a drainage issue, a driveway that needs a culvert, and a lot of material needs to be moved

D. Power Point Generator Agreement:

The Fire Chief requested a generator maintenance agreement. The question was to accept a Gold policy or a Silver policy.

Kimberly Stacey-Horn made a motion to accept the Gold Policy at a cost of \$500.00. The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

E. Appointment:

Kimberly Stacey-Horn made a motion to approve and sign the Mousam Dam Coalition Agreement and appoint Tom McGurty as a member. The motion was seconded by David Winchell Jr. Tom McGurty abstained. Two in favor, motion carried 2-0.

E. Appointment:

Kimberly Stacey-Horn made a motion to approve the appointments of Crystal Andrews, Hope Denkamp and John Denkamp as members of the Recreational Committee until June 30, 2023. The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

The Town Administrator stated that Samantha Singleton is the new Rec. Director and Robin Ham is the new Transfer Station superintendent and Handyman for the Town.

F. Paving Bid:

The 2022-2023 Hot Top Paving Bids will be solicited to be returned to the Town Administrator in writing, sealed.

10. PUBLIC COMMENT:

- Joyce Baskin reported that Jim Foster, the Bridge Ranger, is retired. She inquired who compensated him. The Town Administrator replied, "The State compensated him." Joyce then asked if no one applies for the Treasurer's position could a motion be made now to go in a different way, could the vote be rescinded? David Winchell Jr. replied, "No."
- Ray Lopez stated that people are afraid of change and that new people have new ideas which could work better than what has been in place. He stated that the Select Board should keep an open mind to new ideas. David Winchell Jr. stated that he is not afraid to change but qualifications must be met and an in house representation has worked fine. Ray then went on to say that the school budgets in Acton were easier to understand than the Town budget and why wasn't the Town Budget a better example of a line item budget. The Town Administrator stated that the two budgets were different.
- Dennis Long stated that he agreed with Tom McGurty that the budget process could be clearer, and that the Town could use the format that Kim Oliver uses. It is user friendly and easier to understand where the money is going. The process that is being used now

needs improvement. He stated that this was not a criticism of the Treasurer; it's just that the process needs improvement.

- Judy Shain stated that the budget process has been refined by Kim Oliver and the codes that are used are set by the State of Maine Ed. Department. The school budget can only have a 5% budget surplus and anything over that must be returned to the Town to offer tax relief.

G. Executive Session 405 6.A.1. - Personnel

Kimberly Stacey-Horn made a motion to go into Executive Session regarding the Treasurer. The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

Kimberly Stacey-Horn made a motion to come out of Executive Session. The motion was seconded by Tom McGurty. All in favor, motion carried 3-0.

10. ANNOUNCEMENTS:

Thursday, May 5 Planning Board Public Hearing 6:00pm

Monday, May 9 Conservation / Forest Committee 6:00pm

Tuesday, May 10 Auditor Workshop #1 4pm (VIA ZOOM - link to be posted)

Tuesday, May 10 Auditor Workshop #2 5:30pm

Wednesday, May 11 Select Board 6:00pm

Wednesday, May 18 Select Board 6:00pm

Thursday, May 19 Planning Board 6:00pm

Wednesday, May 25 Select Board 6:00pm

11. MEMBERS PRESENT: David Winchell Jr., Kimberly Stacey-Horn, Tom McGurty.

12. ATTENDANCE: Dennis Long, Ray Lopez, Kimberly Oliver, Judy Shain, Will Langley, Adam Doliber, Robin Ham, Hope Dene Kemp, Jon Dene Kemp