

TOWN OF ACTON SELECT BOARD MEETING
March 29, 2023
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE
2. WARRANTS/BILLS - Signed
3. APPROVAL OF AGENDA

Selectmen Stacey-Horn made a motion to approve the agenda; seconded by Selectmen Winchell. All in favor.

4. MINUTES OF LAST MEETING

Selectmen Stacey-Horn made a motion to approve the minutes of March 22 2023; seconded by Selectmen Winchell. All in favor.

5. TOWN ADMINISTRATOR WEEKLY UPDATE

- A Warrant & Finance member pointed out a duplicate meeting on the schedule; schedule has been updated and posted.
- School budget books are available at the Town Hall for pick up.
- Absentee ballots for May elections will be available tomorrow, March 30th.
- A draft audit is expected Friday and the Board expects to review it. If changes are needed they will see that they are made but hoping it will be released soon after receipt;. State DOE extension is in effect until April 15, 2023.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES - None

7. LIAISON UPDATES

- A. Tom McGurty, meet with W&F and went over 3 proposed warrants; on schedule to be discussed later in this meeting.
- B. Kimberly Stacey-Horn - None
- C. David Winchell -
 - Met with Road Commissioners regarding budgets.
 - Working with Code Enforcement Officer regarding the Select Board's proposed zoning article.

8. OLD BUSINESS

- A. Select Board Proposed Zoning Article

- This item has been submitted to Council for review.
- Council has asked for more time.
- This item will be brought forward for discussion once that review is complete.
- Alternatives are being looked at and the Planning Board will again be invited to participate.

- B. West Shore Culvert

- Red line was prepared to go to Maureen

- Selectmen Winchell had a few concerns and requested it be held one more week. Trying to make sure the Town is covered with some sort of bond (verbage) so that when the bid goes out, the Town is protected. A call to council will assist in fine-tuning that language.
- Maureen indicated that Council was going to dive back into the bid language and make changes; the Town Administrator will follow up.
- Timeline can still be met; to be resolved by next week.
- Access around the bridge will be discussed with landowners; possible agreement may be needed.

C. 2023-2024 Budget

- Town Administrator went over the finals for the Road Commissioners for the Board
 - District 1 -
 - \$250,000 + \$41,000 in carryover for paving
 - \$137,917 in summer maintenance (up \$20,000 due to material costs)
 - Difference of \$50,117 remains for culvert and shoulder work
 - No special projects
 - District 2 -
 - \$330,000 - \$83,000 in reserves; asking \$250,000 sought in Paving
 - \$137,917 in summer maintenance
 - Difference of \$53,500 remains for shoulder and tree work
 - Special project for Peck Road to pave and maintain = \$135,500.
 - Selectmen Winchell reviewed the rate discussions and fuel surcharges.
- All departments have been tied down; warrant articles are needed to finalize the budgets.
 - Engineering work was discussed.
 - Road assessment was discussed - would be a special article or added to the road line
 - West Shore Drive bid process was discussed.

9. NEW BUSINESS

A. 04/19/2023 Special Town Meeting Recommendations

Draft warrants were presented for motions:

1. Article 2: To see if the Town will authorize the Select Board to invest Town funds per the Town of Acton's Investment Policy.

Warrant & Finance voted to recommend. Vote was 2 - 3 - 1. Motion failed.

Selectmen Stacey-Horn made a motion to approve as written; seconded by Selectmen Winchell.

Discussion was heard from Selectmen Winchell regarding his thoughts on this article as he does believe there should be money set aside for rainy days and is an investment. Undesignated fund needs to come down and should be invested.

Selectmen Stacey-Horn agreed there should be some sort of plan on how to use and offset taxes not just accumulate.

Consensus was there are more cash reserves than should be had; a plan is needed and tax relief is part of that as well as capital needs (especially roads) and how reserves can play a part. The process will take

time.

Mr. Lopez approached the Board to indicate that the article as written was too vague and allowed the Board cart blanc. Mr. McGurty pointed out that investments were to be made under the approved policy restrictions.

Mr. Lopez continued that his issue is that there is too much money and the money was collected. Selectmen McGurty reiterated before any action is taken the public should weigh in. This allows for investing in a different way. Mr. Lopez is afraid even if it passes, the Select Board will move forward and then the Town people may not get a chance to revisit its use. Selectmen Winchell explained this will be done right, hire a firm and if timing is not right, nothing will be done. Selectmen McGurty guaranteed that the resident's will always have a chance to have input on this.

Ms. Bakshi was in agreement that this was a good idea. One question she did have was how much is needed in reserve to run this Town and wouldn't it be best to get a better return than what the banks offer? When receipts go up, taxes can go down.

Ms. Berlan expressed why she voted against this was that there was no performance clause or a plan on what is going to happen with that money.

Mr. Phil Caruso indicated it is always good to get a high yield. Questions which have arisen need addressed more specifically than the way that this article is written and until that is clear the town will not approve. Discussion ensued on how to clean up the article.

Selectmen McGurty understood. What hasn't been defined yet is what the need is yet. Until that is done, to maximize your yield until those are determined.

The investment policy can be reviewed and changed to alleviate some of these concerns.

Discussion continued regarding the history of money management in Acton and trying to bring the tax rate down.

Mr. Lopez surmised that no one knows what the amount is to be invested and until that is known the town doesn't know what the plan is. Selectmen McGurty indicated the Board does know; it is already invested, he just wants to invest it for a maximum return. At least a 4% return on investment should be achieved. This is a no risk situation.

Select Board Vote: All in favor. Motion carries.

2. Article 3 to see if the Town will appropriate \$65,000 from undesignated fund which appropriations shall carry into FY2324 and authorize the Select Board to expend said funds during FY2324 to engage the certified public accountant services of Barry Talbot and Roar

Warrant & Finance made a motion to approve as written. Vote was 5 - 0. Motion passed.

Selectmen Stacey-Horn made a motion to approve as written; seconded by Selectmen Winchell. All in favor. Motion passes.

3. Article 4 to see if the Town will vote to appropriate a total of \$85,000 from unassigned fund balance up to \$55,000 will be used to ratify the overdrafts in District 1 and District 2 winter maintenance accounts for FY22. After the ratification, \$15,000 will be placed in the District 1 FY winter maintenance account

and \$15,000 will be placed in District 2 FY22 winter maintenance account. Any unexpected funds in either winter maintenance account as of 6/30/2023 will be returned to the unassigned fund.

Warrant & Finance made a motion to approve as written. Vote was 5 - 0. Motion passed.

Selectmen Stacey-Horn made a motion to approve as written; seconded by Selectmen Winchell.

Selectmen Winchell explained the process to derive the amount for this article.

Select Board Vote: All in favor. Motion carries.

B. RSMS / Road Study Engineer

- Covered; Town Administrator will follow up getting numbers.

C. Commercial Hauler

Selectmen Stacey-Horn made a motion to accept the application from Brockland Management LLC with a condition that the ordinance is followed; seconded by Selectmen Winchell. All in favor.

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

Selectmen Stacey-Horn made a motion to go into executive session, 405 6 A.1 - Personnel; seconded by Selectmen Winchell. All in favor.

Selectmen Stacey-Horn made a motion to come out of Executive Session, 405 6 A.1 - Personnel; seconded by Selectmen Winchell. All in favor.

E. Sign 04/19/2023 Warrant

Selectmen Stacey-Horn made a motion to sign the Special Town Meeting Warrant 4/19/23; seconded by Selectmen Winchell. All in favor.

10. PUBLIC COMMENT

A. Susan Meehan stepped up to the podium and told the Board she had put something on Facebook about Town Meeting and the response was that child care should be provided. The Town Administrator reported that all of Ms. Meehan's points were addressed and that she was waiting to hear back about qualified teachers from Superintendent Jonathan Ross.

Ms. Mann next asked how many people at the Recreation Department were CPR certified. The Liaison Selectmen Stacey-Horn indicated that a class was in the process of being set up through the Fire Department but no number was available at this time.

The Recreation Committee will be asked to provide a procedure on holding events with someone CPR compliant; inquiries will also be made to the Fire Department.

Mr. Lopez indicated Maine has the best Samaritan laws in effect.

Selectmen Winchell indicated the differences between the Samaritan laws and someone designated to be responsible; this will be looked into more closely.

11. PENDING

A. 23/24 Winter Salt Bid - under review; staying on the agenda so that it is not missed this year.

12. ANNOUNCEMENTS

April 3, 2023 Warrant and Finance 6:00 pm

April 5, 2023 Board of Selectmen 6:00 pm

April 6, 2023 Planning Board Meeting 6:00 pm

April 6, 2023 Public Hearing on 23-24 School Budget 6:00pm (@School)

April 10, 2023 Capital Improvement Committee 5:00 pm

April 10, 2023 Warrant and Finance 6:00 pm

April 12, 2023 Select Board 6:00 pm

April 13, 2023 Planning Board Meeting - Public Hearing

(Re: Proposed June Zoning Changes) 6:00 pm

April 15, 2023 Rec. Committee 8:30 am

April 17, 2023 Cemetery Committee 6:00 pm

April 19, 2023 Special Town Meeting 6:00 pm (@ Town Hall)

April 20, 2023 Planning Board 6:00 pm

April 24, 2023 Warrant and Finance 6:00 pm

April 26, 2023 Select Board 6:00 pm

Selectmen Stacey-Horn made a motion to adjourn; seconded by Selectmen Winchell. All in favor.

13. MEMBERS PRESENT

Selectmen Tom McGurty, Selectmen Kimberly Stacey-Horn, Selectmen David Winchell and Town Administrator Jennifer Roux.

14. ATTENDANCE: Leslie Berlin, Joyce Bakshi, Dennis Long, Susan Meehan, Phil Caruso, Ray Lopez, Deborah Lopez, Gavin Maloney, Jason Sevigny, Robin Ham, Joe Ruma