

SELECTMEN'S MEETING
January 30, 2018

1. **APPROVAL OF AGENDA:** Ed Walsh made a motion to approve the agenda, all in favor. Motion carried.

2. **MINUTES OF LAST MEETING:** Tabled until next week.

3. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:**

A. Marijuana Committee

Richard Nass passed out a packet to the Board, which contained the report prepared by the Marijuana Committee over the last 4 months. He explained that the committee's purpose was to gather information on commercial marijuana sales, and make recommendations on how Acton should proceed. The 20 page report included summaries of 19 interviews with people in Colorado and Washington, articles, and State and Municipal zoning ordinances. Mr. Nass stated the committee unanimously agree with sections 1-6 in the report. He added that section 7 presents ideas in majority and minority reports. Mr. Nass said that he doesn't expect the Board to make any comments regarding the report tonight, but he hopes that the Board will invite the Marijuana Committee back to discuss the report and answer any questions they may have. The Board agreed to have the Marijuana Committee back in three weeks after they had a chance to review the report.

4. **OLD BUSINESS:**

A. Old Patrol Car

The Town Administrator stated that she received an email from the Accounting Manager for the Sheriff's Department. In the email, the Sheriff's Department was asking if they could give a \$500 credit on the March bill for both Acton and Shapleigh, to settle the sale of the old patrol car. She added that she spoke to the Treasurer and she believed it would be a cleaner transaction to have the Sheriff's Department write a \$500 check to the Town to keep it recorded as a purchase for the patrol car. The Board agreed to keep the transaction separate from the Deputy contract and have them write a check for the patrol car.

B. Job Description (Land Use)

The Town Administrator asked to table the discussion until next week, she explained that due to illnesses in the building she was unable to discuss with staff and Board. The Board agreed to discuss at next weeks BOS meeting.

C. Flat Ground Road Follow-up

The Board met with the Town Attorney and Dennis Long to discuss Flat Ground Road prior to the meeting. Ed Walsh stated that in 1960 the road was closed, the interpretation at this point of what that means is that it was closed to maintenance, but still a town road. They discussed a few options on what to do, one being to allow the public to decide what to do next. Mr. Walsh suggested before they can make any decisions, they need to find out if the road meets the criteria of a town road and figure out the classes of roads. The Town Administrator suggested meeting with the Road Commissioner to get some input and follow up at next weeks meeting. The Board agreed.

D. Arnold Murray - Warrant Article Follow-up

The Town Administrator sent an email to the Town Attorney's, Brad Morin, looking for information for the Warrant Article asking the Town to appropriate funds to prevent runoff and pollution into lakes and rivers. The response from the Attorney was that, in his opinion, the Warrant is legal. Mr. Morin contacted the legal department of Maine Municipal Association for a second opinion and they also believe it is legal. He added in his letter that there are no legal impediments keeping W/F and the BOS from approving the Warrant Article, and if they have any questions to contact him. The Board decided to table the discussion until Kim Stacey- Horn was able to be present.

E. Road Committee Direction - Dennis Long Follow-up

The Town Administrator explained that Dennis Long had questions regarding the Road Ordinance. He wanted to know if the Board was going to move forward with the proposed changes, and also he had questions regarding the finances of the proposed changes. Dennis stated that he met with the CEO last week to discuss the Road Ordinance. Mr. Long asked that they table this discussion until the Road Committee has a chance to do some work on it. David Winchell Jr. stood to add to the discussion, mentioning that he watched the Road Committee meeting and had concerns with the \$100,000 that was being talked about. Mr. Winchell gave the proposal to the Town Administrator, which he believes is premature since the Town has not put it out to bid yet. Mr. Winchell said he was going to request \$20,000 toward getting an engineer, plot plan and permits and then move on to voting money. He stated that Rowe Bridge was not on the red list of the most current report he received, so he believes they have a little bit of time to get this into place. Mr. Winchell said in regards to Canal Bridge, he is waiting for New Hampshire to do what they need to do and he can't do anything until there's a plan in place. His biggest concern right now is Rowe Bridge. He is going to put forward his budget as well as a separate \$20,000 article, which the Town can vote on. Dennis Long wanted to let the Board know that the Road Committee is not stuck on any number, they are just trying to get enough funds for the Warrant Article because they believe this project needs to be completed.

F. Buzzell Road Plowing - Joe Diorio Follow-up

The Town Administrator asked David Winchell to explain the issues of plowing on Buzzell Road that are being brought up. Mr. Winchell stated that about 3-4 years ago someone on the Road Committee put a Town line marker half way down the hill on Buzzell Rd. Before this marker was put in, Scott Mooney would plow down the hill of Buzzell Rd. and turnaround in a clear space at the bottom of the hill to come back up. When house was built on the turnaround space, Mr. Winchell stated that they would plow down and have to back up the hill. About 2 years ago, it was brought to a Road Committee meeting and was decided it didn't make sense for the marker to be half way down the hill. Mr. Winchell suggested at the Road Committee meeting to stop plowing where the road branches in a Y at the top of the hill to avoid going down and having no turnaround, he also suggested having the road surveyed to know the exact point of where the Town road ends. The Road Committee asked the Board at that time for permission to stop plowing at the top of the hill where the road branches, and the Board agreed that was a good choice. He explained that it was only a few hundred feet from the point where the road branches to the end of the road and reiterated a survey of the road is the only way to know where the town road ends. He also explained that we can't just start plowing the road without knowing the ownership. Adding in that another option is to find out if there's an easement and put it on a Warrant Article to have the Town vote on it. Joe Diorio asked if it was common practice for the Town to just stop plowing it's roads. He said that Buzzell Rd. is a town road all the way down the hill to Lakeside Drive. Mr. Winchell replied that the few hundred feet in question was an extension on the original Buzzell Rd, and it originally ended at the fork in the road. It was extended as a camp road along time ago by a developer. The Town Administrator asked if the Board would like to get the Road Committee involved in researching easements and old meetings. The Board agreed that it would be good for the Road Committee to work on this.

5. NEW BUSINESS:

A. Planning Board Alternate

Ed Walsh made a motion to appoint Joyce Bakshi and Donovan LaVoie as alternates to the Planning Board. Elise Miller seconded. Motion passed.

B. Theft of Services

The Town Administrator explained that a few weeks ago there was a situation with a couple dogs and a nonresident where the Animal Control Officer was summoned. The ACO picked up the dogs and couldn't find any dogs registered that matched the dogs descriptions, he put a post on facebook and after no responses he was instructed by the Town Administrator to bring the dogs to the shelter. The ACO drove to Kennebunk and as he was pulling into the parking lot of the shelter, he received a call from the owner of the dogs. The ACO was advised by the Town Administrator go ahead and meet the owner, and collect the

impound fee of \$50 per dog because he made the drive to Kennebunk. The ACO met the owner in the parking lot of Ted's Fried Clams, in the exchange the owner ended up getting his dogs and speeding off. The ACO contacted the Sheriff's Department who tracked down the man, who refused to pay the fee. The Sheriff's Dept. summonsed the man to court for theft of services. The Board agreed that this was the best way to handle this situation.

C. Town Debit Card Policy

The Town Administrator explained a request for change to the debit card policy. The current policy states that a \$25 minimum balance is kept in the account until a formal request from a department head is received, if the request is approved the funds will be transferred into the debit card account. The Treasurer was requesting a new minimum balance of \$100 be kept in the account so if there are emergencies, and not enough time to put paperwork through there would be a little more to work with. The only people with debit cards for this account are the Treasurer and the Town Administrator. The Board approved the new minimum balance for the debit card.

6. PUBLIC COMMENT:

Dennis Long stated that about a month or two ago, he presented a packet of information on Buzzell Road to the Board. He stated that one of the items included in the packet was the deed for Buzzell Rd., and the easement is in the deed. Mr. Long added that way back, Buzzell Rd. had no road from the red school house to the farm. It was put in when the Swan's put the development in, and when the development went in, the properties were deeded to the road.

7. ANNOUNCEMENTS:

02/01/2018 - Planning Board Public Hearing
02/02/2018 - Office Assistant Deadline
02/02/2018 - Budget Deadline
02/13/2018 - Ambulance Bid

8. UPCOMING MEETINGS:

02/01/2018 - Planning Board 7:00pm
02/06/2018 - BOS 5:00pm
02/13/2018 - BOS 5:00pm
02/15/2018 - Planning Board 7:00pm
02/20/2018 - BOS 5:00pm
02/22/2018 - Cemetery Committee 5:00pm
02/22/2018 - Rec. Committee 7:00pm
02/27/2018 - BOS 5:00pm

9. MEMBERS PRESENT: Elise Miller, Ed Walsh

10. OTHERS PRESENT: Eric Dewalga, Richard Nass, Jerry Nulton, Dennis Long, Rollin Waterhouse, Jennifer Roux, David Winchell Jr. Joe Diorio, Mike McCrum, Arnold Murray, Karen McManus, Brendan Meehan, Joyce Bakshi, Joe Ruma, Bob Smith