

SELECTMEN'S MEETING

July 25, 2017

- 1. APPROVAL OF AGENDA:** Moved by Kim Stacey-Horn, seconded by Ed Walsh, to accept the Agenda as presented. The motion passed 3-0.
- 2. MINUTES OF LAST MEETING:** Moved by Kim Stacey-Horn, seconded by Ed Walsh, to approve the Minutes of the Meeting of July 11, 2017 as written. The motion passed 3-0.

The Minutes of the Meeting of July 18th were not available for review.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

- A. Three Rivers Land Trust:** Mrs. Roux reminded Board Members that at the meeting of July 11th, the question as to whether handicapped access to the summit of Goat Hill is included in the development plan and if so, is the Town responsible for the cost.

Carl Davis stated that the Town now owns the twenty-five acres and that he is unsure if the Conservation Committee would be charged with the planning for the Goat Hill project or if the Selectmen would appoint a special committee for this purpose. Mrs. Miller expressed the understanding that this type of development would come out of the grant money that will be left after the purchase and associated expenses are paid. Mr. Davis noted that the grant has been approved but that the money has not yet been dispersed. He felt that there would be about \$35,000 available for the trail and the parking lot and the requirement is that three bids would be considered for doing the work. He felt that making the access ADA available would probably be a three-year project and there may be grants available for ADA access funding.

He stated that the Maine Conservation Corps has been approached to possibly help with roughing out the trail and installing waterbars and other storm water mitigation practices and that possibly another cut of the town forests could help with maintaining the property.

Mr. Davis will organize a meeting of the Conservation / Forestry Committee in August to discuss whether the members are interested in working on this project and possibly drafting specifications for bids on the work.

- B. Road Commissioners and Bridges:** Scott Mooney expressed the opinion that it may be very difficult to determine who owns the bridges and felt that the bridges should be surveyed so that responsibility for repairs and maintenance could be decided upon. Mrs. Miller asked David Winchell and Scott Mooney if they felt it is their responsibility as Road Commissioners to determine which bridges belong to the Town and what the repairs and maintenance would be.

Mrs. Miller read a report that noted that the bridge was assessed in 2011 and that it was rated at a 30.4 which clearly states that it needs to be replaced. David Winchell explained that it is necessary first to determine ownership but that recently Ben Foster, the States Assistant Bridge Engineer, reviewed the Rowe and stated that they are "not that bad; it's fine."

Both Road Commissioners agreed that the first step would be to verify ownership, ask the State to do another assessment, determine what the cost would be, then apply for funding assistance.

Mr. Winchell stated that he was disappointed in how the Road Ad hoc committee meeting was conducted. He felt that the committee has been more focused on writing a Road Commissioner job description than determining what the purpose of the Road Committee is based on Town Meeting vote. Both Road Commissioners expressed discomfort with statements that were made at the

July 11th Ad Hoc meeting; they are doing their jobs. Mrs. Miller explained that the Ad Hoc Committee is charged with working out the purpose of the Road Committee and that they felt they needed first to determine exactly what the Road Commissioners' responsibilities are.

David Winchell stated that the original Committee was formed specifically to write a Road Ordinance but when that was accomplished they didn't disband the committee. He had asked the Committee to work on turnarounds but that it didn't happen; he would like to see the Committee work on how the Town should deal with private roads.

He stated the opinion that when a citizen has a road or bridge concern, they should call one of the Road Commissioners first and then if it isn't resolved, then and only then, they should approach the Board of Selectmen.

- C. Fire Department:** Steve Johnson spoke with the Board regarding a letter from the York County EMA which has formed an Emergency Management Team which consists of all the Fire Chiefs of York County who would help out in extreme emergency situations. This group is requesting that each town state support for their Fire Leadership to participate in these situations when necessary. He requested that the Board sign the Authorization Form. Mrs. Miller noted that the authorization is that the Town agrees to make fire personnel available for training. Chief Johnson explained that this would entail probably one meeting a month and that his budget would not be impacted.

Moved by Kim Stacey-Horn, seconded by Ed Walsh, to approve participation in the York County Emergency Management Team. The motion passed 3-0 and the authorization was signed by all three Selectmen.

Ray Lopez asked if fire personnel participates in mutual aid situations how is it that the budget would not be impacted. The Fire Chief explained that mutual aid is factored in the budget, the classes are free to the Town and that the coverage necessary when he is at the class could come out of his training budget.

4. OLD BUSINESS:

- A. MMA Action Plan:** Ed Walsh noted that the plan is calling for replacing the mortar in the areas in the gym building as necessary. Board Members discussed replacing the stove in the kitchen. The Fire Chief stated that it is a commercial kitchen and that the only facility that could use a residential stove would be a bed and breakfast. He will research the questions raised by the Board and return to the next meeting.
- B. Mary Grant Policy:** Mrs. Roux reported that the Committee has included that all events should be finished by 9:00 p.m.; otherwise they accepted the changes made by the Board. Moved by Kim Stacey-Horn, seconded by Ed Walsh, to approve and sign the Mary Grant Policy as written with the inclusion of the event end time of 9:00 p.m. The motion passed 3-0.
- C. Maintenance Ordinance, 8 Loop Road:** Mrs. Roux noted that the Code Enforcement Officer feels that the Ordinance already addresses resolution of the property maintenance concerns. Mrs. Miller felt that increased enforcement would require additional staff so perhaps a special town meeting would be necessary. Ed Walsh stated that perhaps a firm letter from the land use attorney to property owners in violation of the ordinance may help with the issue. Consensus of Board members was to notify the property owners that they have thirty days to comply and that compiling a list would be a priority of the Code Enforcement Officer.

Gregg Vermette stated that shoreland issues are relative to people that are in town only three or four months out of a year but that full-time residents are here year round and he asked why did it take two years to address the problems. Mr. Walsh noted that everyone pays the same tax rate and that the Board will keep the issue on the agenda until it is resolved.

Karen McManus stated that she has contacted the Attorney General and every single Selectmen in Town with no resolution.

D. Deputy Vehicle: Mrs. Roux reported that the bid has been awarded and that the vehicle should be delivered in about six months.

E. Recycling Bins: Mrs. Roux noted that the bins are available for a cost of \$10.00. Mrs. Miller suggested that people who rent their properties should inform their renters that Acton recycles and encourage them to do so.

Ray Lopez asked what is the benefit of the bins. Mrs. Roux explained that they serve better than cardboard boxes which end up disappearing and may make it easier to actually recycle.

F. Reserve Accounts: Mrs. Roux reminded the Board that this will be tabled until after the audit is finished which begins on July 31st.

G. Personnel Policy: Mrs. Roux explained that the draft includes the following changes:

- Article 10, Paid Time, Section B should refer to hourly employees;
- The .077 will be paid after five years of employment;
- Salary employees accrue based on scheduled weekly hours;
- Requests for time off must be made on the form and submitted seven (7) days prior.

The Fire Chief expressed concern that the changes in the Personnel Policy is affecting existing employees instead of for new employees going forward. He felt that the change in the accrual rate makes a difference of about a week over a year. He also felt that figuring salaried employees' PTO accrual only on time scheduled instead of actual time is unfair.

Mr. Walsh noted that the Fire Chief's salary was raised \$15,000 so that Chief Johnson would take the job so there needs to be some give and take.

Ray Lopez asked if there is a mandatory drug testing policy. Mrs. Roux replied that the State requires drug testing of CDL licensed drivers which includes the two Road Commissioners and the road crews; fire department personnel are exempt.

Consensus of the Board was that they would table consideration of the Personnel Policy to the next meeting.

H. Propane Bids: Mrs. Roux reported that letters have been sent to area propane companies and is posted as well stating: *"The Town of Acton is currently accepting sealed bids for Oil and Propane. The Town uses approximately 1200 gallons of #2 oil and 10,000 gallons of propane. Companies interested in participating should contact the Town Administrator. All bids must be received no later than 4:00 p.m. on Tuesday, August 15, 2017."*

- I. **Animal Control Officer:** Mrs. Roux reported that she received two applications and has met with one of the applicants and hopes to meet with the other one and come back with a recommendation at the next meeting.

5. NEW BUSINESS:

- A. **Road Committee Appointment:** Moved by Ed Walsh, seconded by Kim Stacey-Horn, to appoint Dennis Long to the position of Road Committee member until June 30, 2018. The motion passed 3-0 and the Certificate of Appointment was signed by all three Selectmen.
- B. **Planning Board Appointment:** Discussion was had about appointing Joyce Bakshi to the Planning Board. More information to come next week.
- C. **Fire Commission Appointment:** Mrs. Roux reported that she is working through trying to reconvene this commission in accordance with the Fire Ordinance. She is waiting for the Nominating Committee, which must advertise the open position, and then submit the nominee to the Committee. Mrs. Roux would like to see the Ordinance changed, perhaps at a special Town Meeting, to allow the Fire Chief to appoint his deputies.

Appointments to the Fire Commission were tabled to the next meeting.

- D. **Mary Grant Appointments:** Moved by Ed Walsh, seconded by Kim Stacey-Horne, to appoint Mary Terrell, Jeanne Achilles, Dick Neal, and Barbara Secar to serve as members of the Mary Grant Committee until June 30, 2018. The motion passed 3-0 and the Certificates of Appointment were signed by all three Selectmen.
- E. **Library Walkway Parking:** Mrs. Roux reported that she met with Tom Drummey to provide a quote for the Election Hall entrance area. She noted that some concern with the steep drop at the last parking space has been expressed by a resident who nearly tripped on the slope. The issue will be discussed at the next meeting.
- F. **Selectmen's Thursday Hours:** Consensus of the Board Members was the beginning in September, a member of the Board will be at the Town Hall at 7:00 p.m. Ed Walsh will take the first week, Elise Miller will take the second week and Kim Stacey-Horn will take the third week. The fourth week will not be covered.

The Board agreed to change the time scheduled to meet with the Town Administrator prior to the regular scheduled meeting from 3:00 to 4:00 p.m.

6. **PUBLIC COMMENT:** Ray Lopez spoke regarding the proposed Maintenance Ordinance and asked if there is a specific definition of "Junkyard" and what will happen if the property owner does not comply within the thirty days. Mrs. Roux explained that the ordinance will have to be drafted, public hearings will have to be held and if that passes, the deputy DEO position will have to be funded.

7. ANNOUNCEMENTS:

Ed Walsh reported that he attended the Watson Cemetery event on Saturday, July 22 and that there were about twenty people in attendance, an honor guard and some militia and dignitaries.

Elise Miller reported that Hannah Roberts plans to build a story walk at the Mary Grant Nature Preserve in order to earn her Girl Scout Silver Award which requires a project that will be ongoing. She has applied for the Maine Public Library Tax Check Off grant and the library was awarded \$1,000 to fund

the project. The opening is scheduled for Wednesday August 9th; each season will feature a different story. The Curious Garden is the story that will be presented this fall.

9. MEMBERS PRESENT: Ed Walsh, Kim Stacey-Horn

10. OTHERS PRESENT: Jennifer Roux, Ray Lopez, David Winchell, Scott Mooney, Steve Johnson, Carl Davis, Paul Poyant, Sharon Jackson, Dennis Long, Cindy Hart