

## SELECTMEN'S MEETING

July 26, 2016

5:00pm

1. **APPROVAL OF AGENDA:** Moved by Bill Shields, seconded by Elise Miller, to accept the agenda as presented. The motion passed 3-0.
2. **APPROVAL OF MINUTES OF LAST MEETING:** Moved by Bill Shields, seconded by Elise Miller, to approve the minutes of the meeting of July 19, 2016 as written. The motion passed 3-0.
3. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**

**A. School Department / Superintendent:** Judy Shain, Chairman of the Acton School Committee as well as other members of the Committee, introduced the new Superintendent / Principal and Administrator for the Acton Elementary School and Acton School Department, John Ross. Mrs. Shain noted that Mr. Ross has most recently served for several years at the Westbrook School Department and that the School Committee is very excited to move forward with their initiatives working with Mr. Ross.

Mr. Ross stated that he is looking forward to meeting each of the Board Members one on one and that the community has been very welcoming.

**B. CEO:**

**Resolution of an existing violation:** Ken Paul introduced Albert Caproni who resides at 278 Langley Shore Drive to the Selectmen and informed the Board Members that Mr. Caproni septic system is currently in violation of the State of Maine Subsurface Wastewater System Regulations. Mr. Paul noted that Mr. Caproni was issued a septic permit in November, 2013. Mr. Caproni didn't have the septic system installed at that time; only the septic tank was installed and has since been used as a holding tank. Mr. Paul distributed a copy of the Maine State Law which allows a septic tank to be used as a holding tank for up to ninety days. He noted that there were complaints filed by Mr. Caproni's neighbors in the Fall of 2015 regarding the situation. Mr. Paul contacted the property owner at that time and informed him that the system must be installed, inspected and signed off by the CEO no later than July 4, 2016 which has not been met. Also, erosion on the site, which is in the Shoreland District, has not always been adequately controlled. Mr. Paul's intention was to seek an injunction to impose vacating the property. Mr. Caproni is requesting that he and the Board of Selectmen enter in a Consent Agreement allowing the property owners an extension until September 11, 2016 to install the system. Mr. Caproni is securing a loan to finance the project early in August.

Mr. Paul informed the Board that the time frame is reasonable even considering that there is a large tree that will have to be removed. Mr. Paul also noted that Mr. Caproni has been diligent in having the tank pumped regularly. The CEO stated that risers on the tank will be used throughout the installation.

Consensus of the Board Members was to verbally approve the extension of the septic system installation until September 11, 2016 as per Mr. Caproni's request. Mrs. Roux urged the property owner to notify the CEO Office immediately if any problems arise during the process.

**Planning Board Zoning Articles:** Mr. Paul reminded the Board that in the last couple of years, the Board has required Department Heads to submit any proposed articles for the upcoming Annual Town Meeting to the Board of Selectmen no later than January 31<sup>st</sup>. Mr. Paul requested that the Board consider extending that deadline when the article does not include appropriating money. He stated that it is difficult to meet the January deadline considering that proposed changes to the

Ordinance require notifications and holding public hearings. Consensus of the Board Members was that Mrs. Roux and Mr. Paul will return to the next meeting with a proposed deadline schedule that might be more workable.

**Existing Violation on Square Pond:** The CEO has been working with the DEP in seeking a resolution to the problem, however, the property owner has not been very cooperative. Mr. Paul distributed communication from Mike Morse at the Maine Department of Environmental Protection regarding this violation.

**4. OLD BUSINESS:**

**A. Library Repairs:** Mrs. Miller noted that she has not heard back from the contractor so the issue was tabled.

**B. Fire/Rescue Building – Fairgrounds:** Mrs. Roux stated that she is still gathering information regarding this topic so it was tabled.

**5. NEW BUSINESS:**

**A. Paving Bid:** Mrs. Roux has talked with both Road Commissioners regarding the proposed Invitation to Bid. The Chairman read the document:

*“Sealed bids for paving roads in the Town of Acton with hot bituminous materials are now being requested. Proposed pricing must be valid through June 30, 2017. All paving bids received must include separate prices for:*

- *Per ton laid*
- *Hand work per ton*
- *Curbing per ton*
- *Reclaiming per foot*

*Bids shall be submitted in sealed envelopes plainly marked "Bid for Paving" and shall be mailed or hand-delivered to: Town of Acton, Town Administrator 35 H Road Acton, Maine 04001*

*Bids will be received until 4:00 p.m. on Tuesday, August 9, 2016.*

*The Town of Acton reserves the right to waive all informalities in bids, to accept any bid or any portion thereof, or the reject any or all bids should it be deemed in its best interest to do so.*

**B. Salt Bid:** Mrs. Roux informed the Board that this bid is still in the process so the topic was tabled.

**C. D6 Dozer:** The Chairman stated that the Town Hall received a phone call inquiring about the status of the equipment. Mr. Winchell explained that the 1940 dozer was moved in 2009 to the Winchell property and it has been maintained regularly for no charge. The chairman stated that many of the Town’s citizen want the Town to retain ownership. Consensus of the Board was to leave the unit where it is. Mrs. Roux suggested determining the value and adding the dozer to the Town’s insurance policy.

**D. Planning Board Appointment:** Mrs. Roux noted that Lincoln Marston who resides on Lebanon Road responded to the Town’s notice of an Alternate Planning Board Member vacancy. Moved by Elise Miller, seconded by Bill Shields, to appoint Lincoln Marston as an Alternate Planning Board Member to June 30, 2017. The motion passed 3-0 and the appointment was signed.

- E. Fair Beano / Bingo:** Moved by Elise Miller, seconded by Bill Shields, to allow the Elks to offer the Beano / Bingo games at the Acton Fair. The motion passed 3-0 and the approval was signed by all Board Members.
- F. Recycler Zoning Renewal:** Moved by Elise Miller, seconded by Bill Shields, to approve the renewal of the Recycler License stating: *“This is to certify that Lakes Region Auto Sales is in compliance with all local building, zoning and land use regulations, State laws and Ordinances including the issuance of the necessary permits required for the operation of this business.”* The motion passes 3-0 and the renewal was signed.
- G. Square Pond Improvement Association:** Mrs. Roux reported that the Association presented the Town with donations in the amount of \$200 for the Acton Library and \$200 for the Acton Fire Department with appreciation for the efforts of the two Departments.
- H. Town Clerk Training:** Mrs. Roux stated that because of scheduled training, it will be necessary to close the Town Hall on August 16<sup>th</sup>. Consensus of the Board Members was that she will confer with the CEO to determine if his office will also be closed. Mrs. Roux and board members will decide whether the meeting of the Board of Selectmen’s meeting that evening will be convened as it gets closer.

**7. PUBLIC COMMENT:** None

**8. ANNOUNCEMENTS:**

**A. Special Town Meeting:** Thursday, July 28 6:00pm at the Acton Town Hall.

**ARTICLE 1:** To choose a moderator for said meeting.

**ARTICLE 2:** To see if the Town will vote to raise and appropriate \$1,000 for the Southern Maine Veteran’s Memorial Cemetery Association.

**ARTICLE 3:** To see what sum the Town will vote to appropriate from the following revenues and fund balances to reduce the amount to be raised by taxation during the 2016 - 2017 tax commitment.

- B. Committee Openings:** Mrs. Roux noted that there are openings on the following Committees: Mary Grant, one Road Committee, one alternate Planning Board, one alternate Warrant and Finance and Parks and Recreation volunteers. She stressed that unless someone volunteers to help organize the Rec efforts, the Fall soccer program will be cancelled.
- C. Tax Acquired Property:** Bids to purchase either of two properties held by the Town through tax acquisition will be accepted until August 24, 2016 at 4:00 p.m.
- D. Acton Shapleigh End of Season Tour:** August 9<sup>th</sup> at 10:00 to 12:00 p.m. beginning at the Mousam Lake Beach to view completed projects in the Mousam Lake and Square Pond watersheds.
- E. 14th Annual Woods, Water & Wildlife Festival:** Saturday, August 13, 2016 at 10:00 – 3:00 p.m. at the Branch Hill Farm, 307 Appleby Road, Milton Mills.
- F. Three Rivers Land Trust Note:** Member of the Trust expressed appreciation to the Board of Selectmen and the Acton voters for the approval of the article to purchase the Romac Orchards property. The group looks forward to continued success.

**9. MEMBERS PRESENT:** Ed Walsh, Elise Miller, Bill Shields

**10. OTHERS PRESENT:** Judy Shain, John Ross, Scott Mooney, Holly Mooney, David Winchell Jr, David Winchell Sr., Paul Poyant, Mary Stanton, Jeanette Bearse, Amanda Cobb, Rollin Waterhouse, Jennifer Roux, Eric Dawagna, Ken Paul, Al Caproni