

**SELECTMEN'S MEETING
TOWN OF ACTON
July 30, 2015
5:00 p.m.**

SALUTE TO THE FLAG

1. Mr. Shields made a motion to approve the agenda as presented, seconded by Mr. Walsh. All in favor; motion carried.

2. **APPROVAL OF MINUTES OF LAST MEETING:**

Mr. Shields made a motion to approve the minutes from July 16, 2015 as presented, seconded by Mr. Walsh. All in favor; motion carried.

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

A. Office Manger Discussions

- 1a. **CEO Job description follow up:** Motion by Ed Walsh, seconded by Mr. Shields to approve the expanded position title, Director of Planning and Code Enforcement. The motion passed 2-0-1.
- 1b. **CEO Salary:** Mrs. Roux asked the Board Members if they support the increase in salary based on the added responsibilities. Mr. Paul stated that he would like the full support of the Board of Selectmen relative to the increase in salary before going to town meeting. Mr. Kryzak responded that he objects to how the issue was handled, that it didn't go through the normal process and that he also objects to that position receiving a higher salary than the Town Clerk / Tax Collector / Office Manager. Mr. Paul responded that the numbers are within reason compared to the surrounding towns based on similar duties. He noted that enforcement is not happening based on the current schedule. Inspections, issuing permits, etc. are the priority of the office; increased regulations are increasing hours spent in the field. Mr. Walsh stated again that this issue has been discussed for several meetings and it's time to go forward. Mr. Paul explained that another option would be to work the 34 hours per week and work within the current budget. Mr. Kryzak noted that with the \$13,000 that is available, CEO hours could be increased to 30 hours per week. Mr. Paul stated that when a contractor pays \$1000 for a permit, inspections should be timely so that they can move towards completion of the project. Mr. Kryzak expressed concern that certain policy items have not been addressed in public meetings. Mrs. Roux reminded him that the policy changes were discussed and signed in a public meeting.
2. **Siding:** Mrs. Roux stated that \$11,000 has been appropriated out of Capital Improvements for the siding project and funds from the Building Maintenance line are available and requested direction as to how much should be moved. Mr. Kryzak noted that the two front walls should be the first priority. Mr. Paul observed that repairing the stairs should also be a priority. Mr. Paul will submit an estimate at the next meeting.
3. **Special Town Meeting August 20:** There are three ordinances to be considered: Zoning, Solid Waste and the Fire and Rescue. All three documents are ready to be sent to the Warrant and Finance Committee. Solid water and fire/rescue do not require public hearings. A public hearing has been scheduled for possible zoning changes. Consensus is that the Committee will inform the Board of Selectmen who they need to meet with and the Selectmen's Office will schedule those appointments.

Dick Neal reported that the zoning amendment regarding historical structures is finished and will be forwarded from Mr. Lenkowski. Mr. Walsh noted that the amendment would be a zoning change which requires a public hearing with notices posted fourteen days prior so getting it on the September Special Town Meeting might be difficult.

4. **Zoning Board Members:** Mr. Paul advised that an Administrative Appeal has been submitted to the ZBA which is scheduled to be heard on August 18th. Mrs. Roux reported that three three-year positions are due for reappointment to the Zoning Board.

Mr. Shields motioned that Dan Archambault be reappointed to the Zoning Board of Appeals until June 30, 2018; seconded by Mr. Walsh. Motion passed unanimously.

Mr. Shields motioned that Jeanne Achilles be reappointed to the Zoning Board of Appeals until June 30, 2018; seconded by Mr. Walsh. Motion passed unanimously.

Mr. Shields motioned that Bob Anderson be reappointed to the Zoning Board of Appeals until June 30, 2018; seconded by Mr. Walsh. Motion passed unanimously.

Mrs. Roux stated that there are three openings for this Committee which have been posted. Proposed candidates will be submitted for consideration at the next meeting.

5. **Fire and Rescue Ordinance:** Mrs. Roux stated that the subcommittee submitted a draft which has been forwarded to the attorney. Two changes were made: Article 5, “they shall govern the operation of”, a couple words were deleted. And in the section concerning conflict “and policies” was removed. The Board should set a timeline of how this document will be considered and moved forward. Mr. Kryzak noted that because the Warrant and Finance Committee has not yet reviewed the proposed ordinance, it shouldn’t be offered to the voters until the September Special Town Meeting. The paperwork to transfer the ambulance is ready and the process to hire personnel can go forward. The Fire Chief is hoping to submit the job descriptions and job postings available at the next meeting.

6. **Special Town Meeting B, TBD:** The Planning Board has scheduled a hearing on August 6th to hear the proposed Resource Protection amendments. Mrs. Roux stated that the two articles cannot be considered on one question per the attorneys. Their opinion is that Article 2 should read “Shall the Town of Acton Zoning Ordinance be amended to **RETAIN** in the Ordinance only the following version Section 4.2.2.6 SPECIAL EXCEPTIONS and to **REPEAL** all other versions of 4.2.2.6? If Article 2 passes, Article 3 would not require a vote; if Article 2 fails, then the voting body will proceed to Article 3. The same option of retaining or repealing this article will be offered. She said that it’s important to note that it is possible that both articles could pass which would keep the question of how to enforce each section. Mr. Paul noted that there is a difference between his interpretation of the section and how the attorneys interpret the section. Mr. Kryzak noted that because good discussion could take place at the Special Town meeting, he’s comfortable with offering the question in this manner. Motion by Mr. Walsh to approve the two articles as presented. Motion passed unanimously.

7. **Maintenance Account/Employees:** Mrs. Roux reported that two of the town’s road crews helped with replacing some of the board on the Library ramp, brought cases of paper from downstairs, etc. Because they are from both road crews and are paid differently, she requested that a flat rate for maintenance be offered. Motion by Mr.

Walsh, seconded by Mr. Shields, to pay a flat rate of \$20 per hour for maintenance time. The motion passed unanimously.

8. **Fitness Center:** Mrs. Roux distributed a document that would offer a three-month Fitness Center membership based on a quarterly proration; also, that the minimum age would change from fourteen to sixteen and includes holding the town harmless. Membership cards for any member that does not return the signed release by August 7th will be turned off.
 9. **Town Debit Card Policy:** Mrs. Roux spoke to the Selectmen about the current debit card policy and handed out copies of said policy. She requested that the Selectmen consider amending the policy to allow the Office Manager to approve purchases of up to \$100, instead of waiting until the next meeting. She reminded the Board that there is never more than \$25 in said account and the money still needed to be approved and moved by the Treasurer. After discussion amongst the Board, no motion was made regarding this request.
 10. **School Committee Member Resignation:** The Chairman read a letter from Diana Pettis resigning from the School Board effective August 12th. Mr. Walsh made the motion to accept the resignation with thanks and regret; seconded by Mr. Shields, the motion passed unanimously.
 11. **URIP Funds:** Mr. Kryzak will call the Road Commissioners requesting that they fill out the paperwork.
 12. **Sand/Salt Update:** Mr. Kryzak stated that because Mr. Paul will be issuing permits for the project, he feels that he cannot serve as clerk of the works. The contract from TPD has been forwarded to the attorney for review. Biddeford Savings Bank has requested to review the contract. The town treasurer has reviewed the contract and noted areas of concern. Mrs. Roux pointed out that all paperwork from her office has been submitted.
 13. **Route 109 Grill:** A certified letter has been sent to Heathcote LLC advising the attorney's recommendation. The letter receipt has not been signed so the issue is tabled.
 14. **Town Report Dedication:** Mrs. Roux will email recommendations.
4. **OLD BUSINESS:** none
 5. **NEW BUSINESS:** none
 6. **OTHER BUSINESS:** Mr. Kryzak asked the CEO what the project is at the corner of Milton Mills Road and Route 109. Mr. Paul responded that while he is unsure what the project is, Mr. Pelletier has advised that anything he plans on doing with the property is two years out. The DEP requires a permit for disturbing more than an acre of land, which has not been submitted, therefore, the CEO office is working towards issuing a Notice of Violation to the property owner.

The Fire Chief reported that there was a barn fire on Milton Mills Road the previous weekend. The main structure was saved as well as most of an accessory building. The resident was rescued from possible smoke inhalation. Mr. Smith stated that he felt the success of fighting the fire was a result of excellent mutual aid and the department's prompt response and that a staffed department is the key, though they aren't fully staffed yet.
 7. **ANNOUCEMENTS:** Mr. Walsh reminded the public of the concert in the park, August 8th at noontime at the Mary Grant Nature Preserve.

Mr. Venell announced that a pancake breakfast will be held this Saturday.

8. **MEMBERS PRESENT:** Ted Kryzak, Bill Shields, Ed Walsh
9. **OTHERS PRESENT:** Jennifer Roux, Chip Venell, Dick Neal, Peter Smith, Ken Paul
10. **ADJOURNMENT:** Mr. Shields made the motion to adjourn at 6:20 p.m.; Mr. Walsh seconded the motion. Motion Carried, meeting adjourned.