

SELECTMEN'S MEETING

May 22, 2018

1. APPROVAL OF AGENDA:

Ed Walsh made a motion to approve the agenda, Kimberly Stacey-Horn seconded the motion, all were in favor. Agenda approved.

2. MINUTES OF LAST MEETING:

Ed Walsh made a motion to approve the minutes for May 15th, Kimberly Stacey-Horn seconded the motion, all were in favor. Minutes approved.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

None

4. OLD BUSINESS:

A. Whitney Baker - Mousam Lake Watershed

Whitney Baker, Project Manager at York County Soil & Water Conservation District approached the Board with her availability to answer any questions regarding the Mousam Lake proposal, the grant process and the Town of Acton's past involvement in these grants since 2008. Mousam Lake has a unique story.

Background - The DEP has been monitoring Mousam Lake since 1975. In 1997 they determined that the lake was impaired for a variety of water quality impairments. During the first round of grant approvals (the very next year), there were 319 watershed grants processed with York County Soil & Water. It was a combination of efforts by the Conservation District, the Town of Acton, and the Town of Shapleigh. These grants are 2 year projects and there were 3 rounds addressing erosion on mostly residential properties throughout the watershed. The money granted actually started the Youth Conservation Corp which is funded by both the Town of Acton and Shapleigh. In 2006 Mousam Lake was taken off the impaired waters list which is very rare. However, the lake is still eligible for this 319 grant money because it is still on the NPS priority watershed list and it is in the watch list category which means it can go either way easily thus making it eligible for this grant funding to keep up the watershed improvements and continue addressing erosion around the watershed as it has been done in the past. Noted, is that there is a lot of work that goes into being eligible for this stage of the grant process including funded efforts in redoing the watershed survey which took many volunteers identifying 180 sites and an update to the watershed management plan to achieve approval. Upon approval, the town becomes eligible for the grant funding. As stated, the committee is in the middle of writing the current proposal now and ironing out all the moving parts that go into that.

Selectmen Miller indicated that the Board's dilemma is that the Town of Acton is not allowed to agree to enter into a grant without encumbering the town or taxpayers more. Ms. Miller asked how does the Board help the committee with this grant without doing that?

Mrs. Baker's response was "site list". With each proposal there must be a candidate site list included. This is a list of sites that could be address under the 2 years cycle of the grant. This list can be changed because it is not set in stone. Since this is a requirement, the committee pulled out the high impact road sites for both towns, Acton and Shapleigh, as a start.

Discussion ensued regarding the Board's concerns and matching funds. Mrs. Baker suggested meeting with the Road Commissioners to see if there was anything currently on the agenda that aligns with work that could be done on the watershed and then the committee could provide some kind of help on those.

Mrs. Baker provided the Board with a map of the water shed area. The watershed is 24 square miles and under the grant one stipulation for an erosion site to qualify is that it has to be within the watershed area. The other stipulation is that there is a negative impact on water quality. So as example, it can be a ditch that impacts flow into the watershed area but is not directly on the lake.

In summary to answer the Board's questions, Step 1 would be meet with the Road Commissioners and see if there is any work that department would be doing within the watershed or that is near any of the tributaries which would allow the grant to provide funding for the cost of materials. Plus, if the town is already planning on doing the work, it would be fulfilling the labor and equipment provision.

Mrs. Baker also noted that private roads have not yet been addressed through this grant process and the committee can work with property owners under this grant as well.

Mr. Murray spoke regarding other 319 grants used in the past and that the town gave "In Kind" gifts in support of those grants, a provided match, which was a different method of handling this requirement. The 319 grants work was done on private roads. There were town roads that were mentioned in the Great East Lake Watershed survey but these roads were not a part of the grants that group received. Mr. Murray indicated it was a good thing for the lake, but its going to be up to the private road owners to get out and do it. Mr. Murray told the Board that he did his homework and found that there was 15 town roads discovered by the survey that the committee did for Mousam lake and listed as high impact/high cost. Out of these 15, there were only three Acton town roads and one private road. The other three roads were far away from the lake, but also considered high impact and was curious to why the high impact designation.

Mrs. Baker responded that even though they are of distance, these waterways were in direct flow and impacting the lake and/or tributaries. Mrs. Baker further reminded the Board that a part of this grant is that the committee will have a pot of money that is going to continue to address the residential sites and that the Acton/Shapleigh Conservation work will continue because this was a substantial task in itself. The committee will be figuring out next steps to move forward.

Selectmen Miller suggested a meeting with the Road Commissioner to talk about the roads and what their projects will be. The Town Administrator will contact Mrs. Baker when she has times for the meeting.

Mrs. Cindy Hart, Road Committee approached the podium with a comment that they should be considered in that meeting as well because their committee work on similar things.

B. Cemetery - (Hobbs Farm)

The Town Administrator Jennifer Roux informed the Cemetery Committee that there was money available for the Cemetery Committee's use. After last week's conversations regarding the need for more funds, Ms. Roux went to the Treasurer. Currently, there is \$1,027 left in the Cemetery Committee's account except for the flag waver's bill and a couple more items incidental items. The committee also has a reserve account in the amount of \$3,296.96 in it. Mrs. Roux noted that in Article 72 of last year's town meeting, the Cemetery Committee was allowed to expend these funds. These funds are reserve accounts and according to the Treasurer can be spent on anything town related. During the discussions, Mrs. Roux indicated that the Cemetery Committee was thinking that these reserve funds were the trust funds, but they are not. The cemetery trust fund interest is only used for maintenance of those cited cemeteries, but these reserve account funds in the amount of \$3,296 are not trust related and are available for use.

Discussion ensued clarifying trust funds versus reserve funds. The \$3,692 was culminated from anything the Cemetery Committee did not spend and was moved into reserves. Mrs. Roux also noted that if the Warrant Article in June passes for the Cemetery Committee, assuming that committee zero's out this year's amount, they will still have \$6,096.96 in reserves, and is appropriated in June, available to spend.

Now to convey a bit of bad news. Three River's does not have the time, energy or resources to maintain the cemetery on their property. If the Cemetery Committee wants to go in for State Law, so be it.

Mrs. Michaud indicated that someone had stepped forward to take care of the Three River Cemetery. Clarification was made that no one is paid to maintain cemeteries and the Board wanted to know if he was willing to volunteer or take mileage if the Board offers that. If it is a paid position, the town would need to advertise. The Committee has reached out to this volunteer to work out details but have not yet heard back from him, but Mrs. Michaud indicated that she believed the Committee was all set.

C. Atlantic Broadband Agreement

The attorney's edited agreement was received and sent via email to the Selectmen to be reviewed. The Board indicated that the corrections or edits did not come through, so the Town Administrator will provide hard copies for review. This item has been tabled until next week.

D. Purchasing Policy

Town Administrator recapped the final Purchasing Policy. Ed Walsh made a motion to approve the purchasing policy as amended, Kimberly Stacey-Horn seconded the motion, all were in favor. Policy approved; will go into effect immediately. Copies will be sent to department heads.

E. Downstairs Office

Treasurer, Code Enforcement and Town Administrator met to review. To do this rebuild, most items located downstairs will stay except for those related to the Recreation Department. \$1,500 can be allocated out of building maintenance to cover the door, flooring, etc. and \$500 from the Code Enforcer's budget for the phone and misc. items. It might not get the office completed for \$2,000 but it will get that department to the next fiscal year. However, the first item to be purchase from the \$1,500 allotted amount will be a cabinet for the Recreation Department to be placed in the gym. Ed Walsh made a motion to approve the debit card use up to \$2,000 for the CEO Office downstairs, Kimberly Stacey-Horn seconded the motion, all were in favor. Approved.

F. Warrant Article 41 Recommendation

The Town Administrator asked the Board to reconsider not just Article 41, but Article 72 as well for clarification.

Article 41 was read. Ed Walsh made a motion to approve Article 41 as written, Kimberly Stacey-Horn seconded the motion. Vote results: 2 in favor, 1 opposed.

Article 72 was read. Ed Walsh made a motion to approve Article 72 as written, Kimberly Stacey-Horn seconded the motion, all in favor. Approved.

G. Siding Project

Town Administrator is going to advertise it again. Bids can be sought out, but they must be a sealed bid. The Board would like the Town Administrator to advertise job further. Town Administrator will advertise.

H. Mousam Watershed Dam Coalition Member

The property owner was unavailable to be met with. Town Administrator will reach out for another meet.

I. Marijuana - Order

The Town Administrator recapped where the town stood on this order. The Board was expecting to just sign. The order was review. The Marijuana Committee approached the Board requesting a second question to seal the order forward. The Town Administrator reiterated that the State of Maine has already put the ban in, so asking the Town to do this might confuse the voters. The Board were in agreement; no second question will be offered.

The Order was read. Ed Walsh made a motion to sign the order, Kimberly Stacey-Horn seconded the motion, all in favor. Approved.

5. NEW BUSINESS:

A. Mileage Policy

Code Enforcement is expending an excessive amount of time tracking mileage. The department head would like the Board to consider making mileage as a monthly stipend to free up the time necessary to track and record. The downfall to this proposal is that it will then be taxable. Mr. Paul uses as many as 1,200 miles in one moth. The Town Administrator passed out to the Board the mileage numbers accumulated for each department for the past three years as well as the current policy for review. The Board will table for a decision until the next meeting and if instated, the new policy would not start until July. The Town Administrator reiterated that the stipend request was for the Code Enforcement Department only.

B. FEMA Funds

The Treasurer sent an email reminding the Board that there was a Warrant Article every year that basically says, the town will vote to appropriate revenue received by FEMA claims during the upcoming fiscal year into the emergency disaster reserve accounts. Said funds are to be utilized at the discretion of the Board of Selectmen to restore budgets of the various departments for expenses incurred during a declared event. On October 31, 2017, a declared event occurred. A windstorm took down many trees and left the majority of Acton without power for many days. FEMA is going to match 90% of reimbursement of clean up and repair costs incurred. The only work not yet done from this event is the task of chipping debris. In order to be reimbursed for this work, the work has to be done by June 25, 2018. The Treasurer is requesting the use of Town funds to hire a subcontractor to do the chipping which will cost \$3,000. FEMA will then reimburse 90% of that. Dave Winchell has been looking for prices from different local vendors who offer chipping services and agree to schedule the needed services before the June deadline if the Board approves the use of the emergency disaster reserves. This inquiry has been authorized by the town people.

At the request of the Town Administrator, Mr. Winchell approached the Board with an update on securing a service provider. Mr. Winchell is expecting to receive quotes by the end of the week as there are not many local companies that can provide the town service for the amount of brush needing chipped. Mr. Winchell is also trying to figure out how to make it work by looking into combining with the Transfer Station so that there is enough work to bring the large machine up to the town's location and utilize both budgets to get the work done.

Ed Walsh made a motion to authorized the Treasurer to expend the FEMA money for chipping as outlined, Kimberly Stacey-Horn seconded the motion, all in favor.

C. Tax Abatement

The Town Administrator has just one abatement to present. Tax Map 113, Lot 4. O'Donnell went out, the building was inspected and value was adjusted to account for the current quality and condition of the property as of April 1. There was a drop in valuation. The evaluation was read. Ed Walsh made a motion to grant the abatement, Kimberly Stacey-Horn seconded. All in favor. Granted.

D. Pole Permit

Request for a permit to add one pole by CMP to Ashbury Lane was reviewed by the Board. Ed Walsh made a motion to sign the pole permit for Ashbury Lane, Kimberly Stacey-Horn seconded the motion, all in favor. Permit signed.

E. Treasurer Memo

The Town Administrator asked if it was the Board's wish to put a non essential spending freeze in place after May 31st as done in past years. The Treasurer puts together a letter to the department heads reminding of the fiscal year end and that non essential spending must meet Board approval. This is a preventive

measure so that budget lines are not spent down. The monies not expended are then put back into the S&E fund balance which is helpful to the towns people. The Treasurer's memo was read. The Board agreed to have the memo sent out.

F. Sign Annual Town Warrant

Article 41 vote and Article 73 need to be added to the Warrant. After these article are added, the Warrant can be printed and signed by the Board of Selectmen after the meeting. The Town Administrator as Mr. Williams if after proof reading Warrant if there was anything else to be corrected. Mr. Williams asked for clarification of Gravel processing being removed from Warrant. Clarification ensued and accepted as it stood. Ed Walsh made a motion to approve the Town Warrant as amended, Kimberly Stacey-Horn seconded the motion, all in favor. Approved.

G. Assessing Field Work

Update: O'Donnell's has 5 staff members out in the field. They all have identification as to who they are. They are assessing Town of Acton properties. If anyone is missed and they want to contact O'Donnell's to reschedule, the Town Administrator's office can provide contact number.

H. No Board of Selectmen's meeting Tuesday, June 12, Tuesday, July 3 or Tuesday, July 17th. There will be no meeting on June 12th because of 8 am to 8 pm elections. A Wednesday meeting in July will be considered if necessary.

6. PUBLIC COMMENT:

Ms. Michaud asked about measuring lines on bridge leading to NH. Selectmen Walsh thought it was a Dig Safe mark in preparation for ditch work.

7. ANNOUNCEMENTS & UPCOMING MEETINGS:

BOS Office Hours First, Second and Third Thursday of Each Month 7:00 to 8:00 pm. But if needed, please call and they work work something in.

05/22/2018	Road Committee Meeting 6:00 pm
05/23/2018	Library hosting presentation on Loons, Wakefield House, 2:00 pm to 4:00 pm
05/23/2018	Special Town Meeting 7:00 pm
05/23/2018	Candidates Night 7:30 pm
05/24/2018	Cemetery Committee Meeting 5:00 pm
05/28/2018	Transfer Station Closed - Memorial Day
05/29/2018	Board of Selectmen Meeting 5:00 pm

8. MEMBERS PRESENT:

Selectmen: Ed Walsh, Elise Miller and Kimberly Stacey-Horn; Town Administrator: Jennifer Roux

9. OTHERS PRESENT:

Whitney Baker, Stephen Geranium, Charles Gregory, Cindy Hart, Dennis Long, Mr. McManus, Mr. & Mrs. Meehan, Lois Michaud, Mr. & Mrs. Murray, Mr. & Mrs. Nass, Carol Ward, Jay Ward, Rollin Waterman, William Williams, and Mr. Winchell, Jr.