

SELECTMEN'S MEETING

May 31, 2016

5:00pm

1. **APPROVAL OF AGENDA:** Moved by Bill Shields, seconded by Ed Walsh, to accept the Agenda as presented. The motion passed 3-0.
2. **APPROVAL OF MINUTES OF LAST MEETING:** Moved by Bill Shields, seconded by Ed Walsh, to accept the Minutes of the Board of Selectmen's Meeting of May 24, 2016. The motion passed 3-0.
3. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**
 - A. **Director of Planning/CEO Update:** Ken Paul updated the Board regarding court decisions resulting in two cases regarding property code violations. He reported that the property on Great East Lake has been cleaned up, the structure demolished and expenses and penalties have been paid to the town.

Regarding the second case relative to code violations at a property on Foxes Ridge Road: a consent agreement was issued prior to actually going into court, the structure has been demolished and he requested that the \$2,000 owed to the Town for expenses and penalties be paid prior to the end of the fiscal year.

Mr. Paul also noted that his Department is currently handling forty-seven open violations cases, three of which he has prioritized:

- A single family structure that has been built in the Resource Protection District: The property owners have been extremely cooperative providing information and records as requested. Mr. Paul expressed the opinion that code compliance will not be difficult to determine because the walls of the structure have not been closed so it will be easy to inspect. However, his concern is that zoning violations exist so a surveyor has been retained by the property owners to delineate the wet areas that exist on the site to determine how much of the structure and the various retaining walls and ponds fall within the Resource Protection buffers.
- Removal of more than 50% of the value of a non-conforming structure that sits within one hundred feet of the shoreland which triggers the Planning Board's consideration of a Best Possible Location: The owners of a property on Great East Lake have been notified of the infraction and the process has begun with the Planning Board. The property owners have been cooperative but have expressed no interest in moving the structure.
- Removal of trees and vegetation within one-hundred feet of the shoreline: The property owner, after being issued a permit to remove three trees within the Shoreland Zone, has removed as many as twenty to thirty trees and vegetation and leveled the lot. The Town will seek to return the site to its original revegetated state. The property owner has been very uncooperative stating that he does not intend to restore the site. Mr. Paul expressed the opinion that this issue may have to be taken to court for compliance.

- B. **Warrant and Finance Committee:** Larissa Crockett, Chairman of the Warrant and Finance Committee, disturbed a breakdown of the makeup of the Town's undesignated funds since 2006. She explained that the Board made a decision at the last meeting regarding recommending approval of Article 57 of the Town Meeting Warrant based on a statement that in 2012 there was an undesignated fund balance of \$500,000, \$350,000 of which was unpaid taxes. She reviewed the Auditor's Reports beginning with FY 2006 through 2015 and noted that the undesignated fund balance for 2012 was actually \$979,713 and the tax receivables was \$232,144. She went on to say that the committee met on Monday, May 30th and voted to disapprove of the article. Mrs. Crockett stated that this vote was

based on the fact that the Auditors advise the Town to keep an amount equal to three month's expenses for the Town and the School in reserve which amounts to \$400,000 per month, according to the Treasurer, or \$1,200,000 total. The School keeps about \$250,000 as an Undesignated Fund balance. That reserve paired with the Town's 2016 Undesignated Fund balance of \$1,290,000 means there is about \$340,000 over the Auditor's recommended reserve.

4. OLD BUSINESS:

A. Gym: Jennifer Roux explained to the Board that there is a problem with programming the door to recognize new membership cards. She has explained that she has explored every resource available to determine what the problem is. People who are interested in joining the gym have been patiently awaiting a resolution.

B. Foreclosure Properties (Table No Update)

C. Fire Chief Ad - Deadline June 10 (Table No Update)

D. Abandoned Properties (Table No Update / Court Order Aug 2016)

5. NEW BUSINESS:

A. Sign June 14, 2016 Town Meeting Warrant: Mrs. Roux reminded the Board that they haven't yet made a recommendation on Article Seven: *To see if the Town will vote to abolish the existing Conservation Committee and the Forestry Committee and combine their existing duties through the creation of a new Conservation and Forestry Committee which shall be comprised of seven members all of which shall initially be elected at the June, 2016 Annual Town Meeting as follows: two members elected for one year, two members elected for two years and two members elected for three years and with these subsequently elected officials to serve a three-year term. The seventh member of the committee shall be the Town Forester."*

Moved by Ed Walsh, seconded by Bill Shields, to approve the article as written. The motion passed 3-0.

Moved by Ed Walsh, seconded by Bill Shields, to approve and sign the June, 2016 Warrant as presented. The motion passed 3-0.

B. Candidates Night / Live? Mrs. Roux explained that she received a phone call suggesting that the event be on live cable because it takes place only a week before the actual election and it takes a couple days to get it on the website and cable channel when it is taped and with absentee ballots available, it would be available a couple days longer. Ed Walsh expressed the opinion that with no ability to control any trouble that could arise, it could be risky. Mrs. Roux noted that it's not a Town-run event, the questions are not known ahead of time but that the caller had valid points also.

William Williams noted that it is not a Town-sponsored event so why is the Town concerned. Mrs. Roux responded that the Town is responsible for what is featured on the broadcast and the website.

Consensus of the Board members was that as long as Mike Corey can ensure that the tape is posed within twenty-four hours, taping the meeting will work.

6. OTHER BUSINESS:

7. PUBLIC COMMENT:

8. ANNOUNCEMENTS:

- A. Election/Absentee Ballots/Town Meeting - Reminder that the Election will be Tuesday, June 14th with polls open from 8am - 8pm. Town Meeting will be Saturday, June 18th beginning at 9am at the School.
- B. York County Public Hearing FY 2017 proposed Budget will be held on Wednesday, June 1, 2016 at the York County Emergency Manager Room at 149 Jordan Spring Road. If the proposed budget passes, the Town of Acton, based on a valuation of \$536,100, will be taxed
- C. 06/25 9am Mousam Lake Region Association Annual Meeting (Fairgrounds)
- D. Lifeflight Foundation: The thank you explained that the Town's contribution helps people get medical attention that they need quickly.
- E. Mrs. Roux thanked the two Road Commissioners for their efforts in clearing the old Salt Shed and putting a roof on what is being used a storage area so that the Maine Municipal Liability insurance punch list could be finalized.
- F. Mrs. Roux also noted that the Fire Department alarm system has been tested so that item can come off the list as well.

9. MEMBERS PRESENT: Ted Kryzak, Ed Walsh, Bill Shields

10. OTHERS PRESENT: Jennifer Roux, Scott Mooney, Larissa Crockett, David Winchell, William Williams.