

SELECTMEN'S MEETING
November 14, 2017

Elise Miller started the meeting by reminding the public of the protocol of their meetings and told them they could speak during public comment, not to exceed 3 minutes, and asked them to please not whisper.

1. APPROVAL OF AGENDA:

Motion made and seconded to approve the agenda with the addition of the School Committee and Marijuana Committee being added under #3. Also, public comment was added to the agenda.

2. MINUTES OF LAST MEETING:

Elise Miller asked to postpone the approval of the minutes from the November 7, 2017 meeting so that she could get clarification on one item.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

A. School Committee

Kim Oliver spoke on behalf of the School Committee and asked to clarify some statements made by others at prior meetings. Ms. Oliver started by reminding the Selectmen the Committee does have a policy regarding the 3% rule and added that just a couple of years ago the School returned over \$300,000 to the Town to offset taxes, which was a result of the 3% rule. The second point of order for Ms. Oliver was pertaining to collective bargaining. She stated that although the School may enter into 3 year agreements with teachers or staff, only one year is appropriated by the voters and if some funds were not approved, the School is aware the fund would come from elsewhere. Last statement by Ms. Oliver was about the terminology of the fund balances, which she indicated was on the Schools web site. She went on to break down the school warrant and cost centers and the authorization process. This process is required by all schools in the State of Maine, and has been used for the last 4 years. In closing, Ms. Oliver discussed reserve funds that were created in 2014 for specific purposes, which was disclosed in the specific articles, approved by the voters.

B. Marijuana Committee

Richard Nass spoke as chairman of the committee. He indicated that the committee is still meeting, and 3 of them, along with 2 selectmen would be attending the MMA conference the next day. At this point, he stated, Augusta is still working on the specifics of the possible upcoming laws and loopholes and the committee is still working on gathering information.

4. OLD BUSINESS:

A. Buzzell Road

- Dennis Long Follow Up

The Town Administrator stated that Attorney Lenkowski reviewed the documents regarding Buzzell Road as requested. It is his opinion that without a survey or additional legal documents that clearly shows the location of Farmer Buzzell's barn, it is impossible for him to determine where the Town Way ends. Dennis Long presented more paperwork to the Board and asked to approach and discuss. The Board reviewed the documents with Dennis and instructed the Town Administrator to present them to Attorney Lenkowski to be sure his opinion hasn't changed.

B. Personal Property Tax

- William Williams Follow Up

The Town Administrator asked the Board to allow her to discuss this topic under new business as she attempts to address some other issues and will present it all at once.

- William Williams Follow Up

C. Cable

The Town Administrator indicated that Metrocast would like to send their General Manager out to discuss concerns the residents of Acton may have. The Board agreed to schedule this after the holiday.

Additionally, she spoke of the franchise agreement, and said the attorney indicated that under good faith the Board would have no reason to not sign and forward the agreement.

D. Young's Ridge Road

- Jan Steffen's

The Town Administrator stated she passed on the concerns of Young's Ridge Road to Deputy Shaw. Road Commissioner Winchell also spoke on this issue and said he had spoken to some trucks on that road and reminded them of the postings and speed.

5. NEW BUSINESS:

A. Lois Michaud

Lois Michaud stated that during last week's meeting, while picking up chairs, she was grabbed by Elise Miller and would like a written letter of apology from her.

B. Cindy Hart

Cindy Hart addressed the Board on several concerns. First, she stated that she would like to revisit the sand bids from a couple weeks back. She explained the reasons why she felt a different product should have been chosen, primarily because it's Town money and she thinks the Board should buckle down more. Her second concern was about the turn-arounds. Mrs. Hart stated she was disappointed the Board decided to table this until spring and reminded them that it was a liability, in her view. Mrs. Hart went on to discuss the bridges; she feels that none of the bridges have received any of the necessary maintenance and this should be done on a yearly basis, and she'd like to see the 2017 bridge reports. Mrs. Hart believes the signage on Hopper Road is incorrect. Mrs. Hart asked where the culverts went that were on Hopper Road, she stated she drove by them day after day, heard they had been stolen and wanted an update. In closing, Mrs. Hart stated the Town was plowing 13th street illegally.

Ed Walsh stated that when the sand bids came in, the Board turned them over to the Road Commissioners, as it was their area of expertise and the Board took their recommendation, which Ed believes was the right way to handle it.

Dave Winchell spoke in regards to the sand bids. He thought it was important for the Town to know that when sand was purchased, the road commissioners go out and look at the product and don't just pick a company. He said that although some years it may not be the lowest bid, but for the difference of \$500 it is more important to him and Mr. Mooney that the salt does not freeze. Mr. Winchell went on to clarify why last years winning bidder did not receive any purchases from the Town of Acton. David indicated that he met with the company and showed them where the Town of Acton was with their current sand. He went on to say they had enough based on the weather at that time, needed to order more salt and before they knew it the budget was overdrawn and no sand was purchased, from anyone. The company's contract didn't go into the next fiscal year so the Road Commissioners couldn't use them. With that being said, Mr. Winchell stated he doesn't like being accused of putting the screws to a company from a Road Committee member. Mr. Winchell went on to express his concern with a person going above their own intelligence and getting information which wasn't their job to do. In regards to the signs on Hopper Road, Mr. Winchell stated they are correct. With the discussion of illegally plowing 13th St, Mr. Winchell indicated he was told to by the BOS. Mr. Driscoll stated there was a letter in the files stating just that. Elise Miller asked the Town Administrator to find that. Regarding bridges, David said he did not have a bridge report and was in plow truck mode. They were more concerned with getting the winter sand in and completing Hopper Road shoulders. Mr. Winchell spoke on the culverts. He stated they were pulled out because they were ovaled-out and to be compacted. He said the old culverts were no good, although he did not dispose or give authority for them, they disappeared. Mr. Winchell wanted to set the record straight that they were not sitting on any of his jobs anywhere. Mr. Walsh complimented Mr. Winchell on Hopper Road.

C. William Williams

William Williams addressed the Board from the Warrant and Finance. He stated he asked to speak this evening regarding events of the prior week. Mr. Williams wanted anyone who was listening to know that he

requested data from the Board a few weeks back because he truly wanted to know what happened to personal property that dropped almost 90%, he went on to say emails were exchanged that were polite and professional. Mr. Williams stated that after their W/F meeting last Thursday, Mrs. Miller spoke to him in the kitchen and told him that he owed Mrs. Roux an apology. Mr. Williams asked Mrs. Miller why he owed her an apology and insisted nothing was said unprofessionally in those emails and hoped they had not been tampered with. Mr. Williams went on to say he believed Mrs. Roux was a very hard worker and if anyone owed her an apology it was the BOS for hiring her without a job description. Mr. Williams stated there was a problem because he was being accused of making trouble and was asked to resign. He went on to say that he did go to Mrs. Roux's office on Election Day and asked for a job description for the Tax Collector, he stated Mrs. Roux was on the phone with someone who needed consolation but did tell him she would send one this afternoon. Mr. Williams went on to say later in the day Mrs. Roux sent him a note saying she did not have one. Mr. Williams then stated he had concerns with two of the three Board members who had conflicts with the Road Commissioners. Getting back on track Mr. Williams said that he thinks the voters voted his committee in to be a 'watch dog' for certain things, such as taxes in this instance. Mr. Williams brought up a concern he has with a former employee and that she received a severance package that dishonored her because it was put into an administration line. He said based on all of these concerns it was the reason this committee needed to look into these things, he said they would always do it politely and without malice, but they would not be bullied. In closing, he stated that two members of his committee have been physically assaulted by two members of the BOS over the last two months and that was really really bad. Elise Miller said she needed to say something, because that was absolutely not true, she did not grab Lois Michaud. Ed Walsh spoke on two points, first he did indicate that he mis-spoke on the title of the book, and he was sorry. On the other point, Mr. Walsh stated he was friends with both Road Commissioners, as well as others, and only worked for Mr. Winchell for approximately two weeks almost 5 years ago.

D. Jim Driscoll

Mr. Driscoll stated he was all set and no longer wished to speak.

E. Town Clerk/Tax Collector/Town Admin Presentation

Jennifer Roux asked for permission to address the audience and W/F rather than the Board. Mrs. Roux said she would have done it at a prior meeting, but the Selectmen asked her not to go. She stated that the primary purpose of her presentation was so that the W/F could get the full string of events. As well as anyone from the public that watched the Nov 9th W/F meeting, so they could also have the background. Elise Miller and Ed Walsh granted such permission. Mrs. Roux walked through a PowerPoint presentation highlighting the following:

- History of her employment and position with the Town of Acton
- Recap of Oct 24, 2017 BOS Meeting Re: Personal Property
- Emails between W/F Chair, Jennifer Roux, and Tom Gore
- Recap of Oct 31, 2017 BOS Meeting Re: Personal Property Followup
- Additional email exchanges
- Concerns regarding the Town's website and previous Town Reports
- Recap of Nov 9, 2017 W/F Meeting
- Role of the Assessor
- Storage of the Tax Commitments
- York County Town Website Data
- BETE
- Personal Property Data - 10 years
- Assessor contact
- Email from Chair of BOS

6. PUBLIC COMMENT:

Ted Kryzak addressed the board on his feelings regarding personal property tax.

Dennis Long wanted to make it known that he never intended for his words regarding the road commissioner to be taken as negative.

William Williams said that he didn't feel Warrant Finance needed another meeting to discuss the issue of missing funds. He said the explanation of where the money went was good and now he expects an official statement from the Board.

Cindy Hart wanted to know if anything was being done regarding liability. Kim Stacey Horn let her know it will be put on hold until spring. She then asked about Bridges, Elise let her know that she has contacted Wakefield regarding Canal Bridge and is waiting on a response.

David Winchell Jr. stood to defend himself and the job he does for the Town of Acton.

Jim Driscoll discussed when the jobs of Treasurer and Town Clerk went from elected to appointed, stating that when the decision was made to make this change the Board contacted the town attorney at that time and the attorney said it was fine. Jim also talked about people stepping over boundaries when it comes to town officials doing their jobs.

Greg Vermette gave praise to Dave Winchell Jr. and the job he does on the roads of Acton. He asked people to leave him alone, stop insulting him and let him do his job.

Lauren Stevenson stood to defend Jennifer Roux and the job she does as Town Administrator.

Greg Vermette gave praise to Jennifer Roux for the job she does for the Town of Acton.

Gail Boisvert gave praise to Jennifer Roux.

Pat Main gave praise to Jennifer Roux.

7. ANNOUNCEMENTS:

Board of Selectmen Office Hours Nov 16

No BOS Meeting Nov 28

Town Hall closed Nov 23 and Nov 24

November 25, 2017 Tree Lighting

Town Marijuana Moratorium Election Nov 28

8. UPCOMING MEETINGS:

Thursday, November 16, 2017 Planning Board 7:00pm (downstairs)

Thursday, November 16, 2017 Recreational Committee 7:00pm

Friday, November 17, 2017 Marijuana Committee 6:00pm

Tuesday, November 21, 2017 Board of Selectmen 5:00pm

Tuesday, November 21, 2017 Conservation 7:00pm

Thursday, November 30, 2017 Cemetery Committee 5:00pm

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

10. OTHERS PRESENT: Dennis Long, Belinda Klein-Robbenhaar, Richard Hart, Cindy Hart, Kimberly Oliver, W.L. Williams, Virginia Shea, Judie Shain, Jim Driscoll, Joyce Bakshi, Rollin Waterhouse, Lois M. Michaud, Michelle Rumney, Jennifer Escoto, Karen McManus, Brenda Charland, Marianne Doyle, Kenneth Smith, Gregory Hope, Paul Caron, BJ Caron, Joseph Ruma, Richard Nass, Paul Poyant, Daralyn Clark, Herbert Clark O.D., Pat Main, James Wilson, Greg Vermette, Dan Archambault, Carol Ward, Jay Ward, Dr. William Williams, Susan Meehan, Gail Boisvert, Lauren Stevenson, Cindy Norwood, Dwight Verrill, Vicki Ridlon, Ted Kryzak, Brendan Meehan