

SELECTMEN'S MEETING
October 23, 2019
6:00 pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE.

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- November 20, 2019 at 2 pm has been selected for Staff Meeting date.
- Presented to the Board the certified letter to H.J. Higgins from the Town's Attorney. Will await response.
- Warrant & Finance meeting has been scheduled for Thursday at 6 pm regarding the furnace.
- Part-time Fire Chief interview was moved to Monday at 6pm. Applicant will come in at 6:30, allowing the Commission some time to catch up. Girl Scouts were moved to gym.
- Informational packets were given to the Board regarding an interlocal agreement between Acton's School and the School Maine Administrative Collaborative. Packet included an email from the Superintendent with explanation and a copy of the agreement. The school just joined the SMAC to manage and provide regional services to benefit school systems. By joining you have to benefit by at least using two of the services. The Superintendent signed up for cost saving on transportation and the sharing purchasing power of the copiers and printers through this agreement. In turn, will receive the pre-state subsidy for being part of the regional school center which saves money. The school committee did have the authority to enter into this agreement, it's not a contract.
- If anyone is interested, MMA is having a Freedom of Information class on December 12, 2019 in Freeport, Maine.
- Presented thoughts and changes on Article 43. Not looking to change what is required, just figuring out what changes the Board is looking for with semantics. Obviously the Road Association Name, Contact Person, Telephone Number, Email, Date Submitted to the Town, and Date Board of Selectmen Reviewed, Next, a review of the form, not to change what's required, but besides the questions which are answered, "yes", the requirement should be to attach and label the documentation.

That being clear, a discussion needs to be held regarding item 5 and 6. Supporting document for the cost of the repairs is provided by paid invoices with descriptions of work done after July 1, 2018. First question is, "Is the Board on the same page in regards to our doing this more as a grant method and we are going to change that wording to reflect"? Such as, provide an estimate for the work to be done? The Board agreed as long as the due diligence was done and a list of cost and materials is provided along with a reason of why the work is being done.

The Board also asked that parameters be set on timing of completion the work to be done. Example. 90 days from date of approval; extensions will be considered if necessary by the Board. Moving forward the 3 applications in house will be looked at and any new applications will follow new standards. The Town Administrator will keep working on the form and bring it back to the Board next week.

- The gentleman who volunteered to clean the cemeteries and did a really nice job doing it, asked if he could trim some tree limbs? Due to insurance liabilities it is recommended no. The Board agreed and asked if said gentleman can place a ribbon on the trees and then the Board will have the District 1 Road Commissioner see that the work is done.
- The Forest Committee met with the Town Administrator. Outcomes from meeting were:
 - The Committee has scheduled their walk for 2pm on Thursday.

- A concern regarding one of the members has yet to be sworn in. The Town Administrator will follow the legal process since it is an elected position. So there may or may not be an opening on that committee.
- The Management Plan done on Town Farm Road: There was a warrant article that appropriated the money and the money was spent and the Management Plan was done. So the question presented was, “Does it have to go back to the voters to enforce the plan or is that something the Board can do? The Town Administrator sent inquiry over to legal with a copy of the article to let them decide.

Selectmen Winchell indicated that he also had spoken to the Forest Committee Chairman and another related question was asked on whether some of the proceeds from the work might be going into a Conservation account? The Town Administrator responded she too discussed this with the Chairman and looked up the Warrant Article for review. Review indicated that the Article was already written and approved that way; anything leftover over (not spent) and any profits off would go back to the forestry reserve account.

- It is in the budget for a new computer downstairs. The computer in Ken's office will be moved into the Deputy CEO office, the lap top she uses will remain in use for field work and Mr. Paul will get the new computer to replace it.
- There have been quite a few calls received regarding the \$100 reimbursement for Homestead. The State of Maine is giving every person \$100 that has a homestead exemption as of April 1, 2019. It is not determined if that means each person who owns the home will get a \$100 or if the house address gets \$100. What is know, is that the Town's Assessor was contacted by the Maine Treasury and was asked for a list of everybody who received a homestead exemption tax as of April 1, 2019 and confirmed that checks will be going out. Timing is unknown. Please do not call for further information, if and when any is known, we will pass it along.
- Goodies: Last week Mr. Jim Driscoll brought in hats, mittens and jackets to be distributed to anyone in need. If the size is not there on jackets and you want one, please let the Town Administrator know and she will ask Mr. Driscoll for it. Then, that same week, the Town received a large donation of beans to be distributed to anyone who wants them. There are chickpeas, kidney beans, black beans, lentils, pinto beans, navy beans, great northern beans, etc. Please help yourself!
- For the Board's information: The Treasurer was notified of a potential lawsuit that may or may not involve all municipalities in the State of Maine. It is summarized as municipalities suing in regards to the opiate crisis that is going on. Information was sent to Bourge & Clegg and they advised the Treasurer not to file for the exclusion that the lawsuit is set to recover damages for governments that were caused by the opiate crisis, that if Acton doesn't file, then we don't gain anything, we don't have the resources to sue and as far as Acton knows, it's really not an issue here.
- With the transition to a new Board of Selectmen, The Town Administrator and Treasurer wanted clarification on how they want to see the department's handle their budgets. If one line item goes over budget does the Board want department heads to come and get approval to pull from another line item? Yes, transparency is key.
- Town Report needs to be compiled. Start thinking of your department letters. Letters are needed by November 15, 2019 so it can go to print before the holidays. Discussed the number of printed copies to be reduced.

3. WARRANTS/BILLS

4. APPROVAL OF AGENDA

A motion was made by Selectmen Kimberly Stacey-Horn to approve the agenda; seconded by Selectmen David Winchell. No discussion. All in favor.

5. MINUTES OF LAST MEETING

A motion was made by Selectmen Kimberly Stacey-Horn to approve the minutes of October 16, 2019 as written; seconded by Selectmen David Winchell. No discussion. All in favor.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

Will Langley, District 1:

- Transfer Station work has been completed.
- To move forward with applying to grant, met with a representative from Ransome Engineering on West Shore Drive. Discussed was engineering ideas for the culvert work to be done. He will do a sketch plan and rough numbers. The company will write the grant for the Town for \$3,000 including sketch plan. Grant is worth \$95,000 with an equal match. Need to know deadline and amount of time needed to come up with the Town's portion of the money. Mr. Langley has the \$3,000 but needs to know if the match money would be available. Discussion ensued. Mr. Langley will get all pertinent information to move forward and bring back to the Board.

7. OLD BUSINESS

A. Emery Mills Dam

The Town Administrator presented from the Treasurer the funding available plus how much it will be. Acton's portion is \$90,395.42. A portion of the reserve with a \$5,000 she subtracted and what we appropriated last year, while this year is \$75,000, so the Town needs \$25,395.42. The Town Administrator will let the Board know by what date that money is needed. The project is not complete and there is no final bill. The Board has time to act upon this and will wait for the final bill.

One a side note, Selectmen Winchell conveyed some property owner concerns regarding the draw down.

B. Article 43 Applications

There are three application brought before the Board to accept or reject.

1. Sweeping of 13th Street

The Board feels this is a maintenance issue. A motion was made to deny the 13th Street application by Selectmen Kimberly Stacey-Horn; seconded by Selectmen Ed Walsh. Selectmen Winchell abstained. All others in favor. No discussion.

2. The Ridge's Article 43 application for shoulder work and ditching from Asbury Lane down to Acton Ridge Road; cost was \$3,400. Discussion ensued. Clarification of work done and where is needed. The Board asked the Contractor to step forward and respond of where this work was done. This was described it as a little bit of both some maintenance, but it does help with the runoff. No work was done to the road since the 80's.

A motion was made to accept the Ridge's application of Article 43 for \$3,000 by Selectmen Kimberly Stacey-Horn; seconded by Selectmen David Winchell. All in favor. No discussion.

3. Wilkins Road Association's Article 43 application for regravelling; cost is \$1,100. Mr. Farmer was asked to step forward to explain the scope of the work to be done. The work is regravelling of

the road because sections are soggy and the road is loosing its crown. The Board will go out to review and make a decision for the next stated Board of Selectmen's meeting.

Comments for improving process moving forward:

- Add - Is it within Shoreland Zoning?
- Where work is in relationship of water.

8. NEW BUSINESS

A. Fire Dept Furnace

Dave Langley, Interim Fire Chief notified the Board that there was an incident on Saturday at 1 am. The furnace misfired and the building filled with CO₂; alarms were going off. Duty crew shut the furnace off, packed up and went through portal casual for regular fire department duties. Readings were right off the chart. Luke Senecal checked out the furnace the next day. The furnace is no longer useable and completely wore out. Mr. Senecal put some numbers together. Mr. Langley asked the Board to help the Fire Department find the monies to cover this replacement expense. They could do this in-house but the Treasurer advised not to do this because we are only 5 months into the new fiscal year.

The Town Administrator read out the Article 11 that permits the Board to appropriate and expend monies from undesignated funds balance for the purchase of equipment or to use as they deem advisable to meet unanticipated expenses and emergencies that occur in 1920, maximum expenditure of \$15,000. This is where the Treasurer recommends the funds come from; the motion that was made on Town floor indicates expenditures in excess of \$500 requires the Warrant & Finance's advice and recommendation.

Selectmen David Winchell suggested that at special town meeting ask for the \$15,000 to replenish the account. There is anticipation that the Town's furnace may also need replaced too. With the new Fire Chief position being filed and shortfalls on the running of other budget line items, the numbers can be run and considered at that time to bring overages back to 0 and yet replenish the undesignated fund.

Warrant & Finance will be reviewing this expenditure and make a recommendation tomorrow night.

The Board asked whether they could make a recommendation without the Warrant and Finance's recommendation. Yes, tonight the motion can be made to expend up to \$15,000 from the undesignated funds according to Article 11 but the Warrant & Finance recommendation will be on what is to be purchased.

A workshop will be posted.

A motion was made to spend up to \$15,000 for the Fire Station furnace pursuant of Article 11 by Selectmen David Winchell; seconded by Selectmen Kimberly Stacey-Horn. All in favor. No discussion.

B. Planning Board Resignations

There are two Planning Board resignations; 1 is written and 1 is verbal for now. Donovan Lajoy and Thomas Cashin. Mr. Cashin will come in to sign his resignation tonight. Mr. Long who is an Alternate will step forward to fill in

A motion was made to accept Mr. Donovan Lajoy and Mr. Thomas Cashin's resignation by Selectmen Kimberly Stacey-Horn; seconded by Selectmen David Winchell. All in favor. No discussion.

Thank you for your service.

C. Policies

The Board of Selectmen will start reviewing the Town's policies. Presented tonight was the Abatement Policy, Acceptance of Payment Policy, and Acceptance of Credit Cards Policy. After review, they will be edited (amended) and presented next week for signatures.

9. PUBLIC COMMENT

- Joyce Bakshi approached the Board to thank Mr. Cashin and Mr. Donovan for their time and service on the Planning Board; both brought experiences and unique perspectives to the group and both will be missed.
- Cindy Hart asked the Board about the list of items presented by the auditor and how where they handled; further she wanted to know when the auditor would be available to answer questions from the public.

The Town Administrator responded that dates were sent to the auditor and the Board was waiting for her response. If you have questions please get the to the Town Administrator to send to the Auditor. As for the concerns, the Town Administrator listed them out with a status:

- Gym – Reported on last week; will probably be closed as of January based on the revenues that the Town has to keep it open.
- Bank reconciliation – Recommended the Treasurer have a second set of eyes review; this process has been in place for the last three months.
- T.G. Higgins, excessive amounts of write-offs done by said company – Board has been pursuing legally.
- Article 43 – Addressed earlier.
- Jay Ward, Abbott Road approached the Board to ask them to do the following:
 - Article 43 - The law is pretty clear as maintenance and repair; urges the Board to look at the law as written when reviewing these applications. It is also the Great pond, not the Shoreline.
 - Have an exemption date for work done within the date and not yet submitted yet. As of December 1, 2019 there will be new forms.
- Mr. Jim Farmer asked for clarification on Article 43 process. The Board relayed what he was doing was correctly done.

10. ANNOUNCEMENTS

- Videographers Needed - \$50.00 stipend per meeting
- Crock Fest Nov 2
- State Election Nov 5
- Town Hall Closed Nov 27 & Nov 28
- Tree Lightening Nov 30
- Trunk or Treat, School, Oct 19
- Closing Ceremonies for Soccer, Oct 19

Selectmen Kimberly Stacey-Horn reviewed her good time at the Pumpkin Festival at Mary Grant. A lot of kids were there; turn out was great!

11. ATTENDANCE

Joyce Bakshi, William Langley, Dave Langley, Dennis Long, Jim Farmer, and Cindy Hart