

**TOWN OF ACTON SELECTMEN'S MEETING**  
**October 27, 2021**  
**6:00pm**

**1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**

**2. TOWN ADMINISTRATOR WEEKLY UPDATE**

- **Transfer Station Winter Layoffs** – The Town Administrator reported that with the new Superintendent position and winter slow downs, the staff involved in the winter layoffs have been notified. One of the staff members notified was also the current Handyman for the Town offices; when notified of the layoff, he decided not to finish out the handyman term and turned in his keys. With that being said, the Town Administrator asked the Selectmen to assist in doing those tasks and trash removal until the Superintendent position starts. Both Selectmen David Winchell Jr. and Ed Walsh agreed to fulfill that role. Selectmen Ed Walsh is available and will provide that service; the sign work will be done on Thursday and the trash on Saturday.
- **American Rescue Plan packets** – The Treasurer received a packet regarding the American Rescue Plan for which the Town Administrator distributed to the Board. Initial roundtable discussion offered up that the money be distributed to the tax payers but that is not an option. This new packet explains what the funds can be used for; some items currently approved for use is the water issue, culvert payments, Fire & Rescue, employees who worked during COVID as pay relief, etc. The plan is to hold public hearings after the new Selectmen elections because whatever is decided upon will need to be on the June warrant for the Town to vote upon. The Treasurer has been attending all of the briefings. Discussion ensued. Selectmen Ed Walsh asked about the generator for the Public Safety Building and high speed internet access boost.

The Town Administrator noted that surrounding towns were utilizing funds and giving them to employees who worked during COVID and then thinking upon how to handle the remaining balance to benefit the Town. It is interesting to see what is available and not. Whatever is decided, the Town Administrator reminded the Board that they will need to present their recommendations at public hearings before the warrant is drafted and take in account what the Town has to say.

- **Resignation** – The Town Administrator reported that Selectmen Ed Walsh's written resignation was formally received notated with his resignation date for the file.
- **New Maine Law** – The Town Administrator has received information from the State of Maine stating there is a new Maine Law on the books which prohibits potential candidates for Town positions to be asked about any criminal history until the final phase of hiring.
- **Auditor's Report** – The Treasurer and School Finance Director have both received a draft of the Auditor's Report for review; most items on the list are school related.
- **Freedom of Information (FOI) Act Updated** – The Freedom of Information Act has been updated effective Monday, October 18, 2021. Some of the changes affected are:
  - What used to be 1 hour free is now 2 hours free; however, the \$15.00 hourly rate after the free hours has increased to \$25.00 per hour.
  - The rate of copies has decreased from \$0.25 to \$0.10.

The Town's policy will be updated to reflect all the new changes.

- **Zoning Board of Appeals (ZBA)** – The Town Administrator updated the Board that the Zoning Board of Appeals had a setback variance request come before them on Monday; the ZBA granted the variance.
- **Smoking on Town Property** – There have been concerns raised regarding smoking on different Town properties. The Town Administrator encouraged the Board to consider putting a policy in place. Discussion ensued. Selectmen Ed Walsh indicated a good stand would not to have any smoking within 25 to 30 feet of any town structure/buildings; the Town Administrator will order signs; sign size suggested was the same as the Code Enforcement sign in front of the Town Office.

**3. WARRANTS/BILLS – Signed.**

**4. APPROVAL OF AGENDA**

**Selectmen Ed Walsh made a motion to approve the agenda; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

**5. MINUTES OF LAST MEETING**

**Selectmen Ed Walsh made a motion to approve the October 20, 2021 minutes; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

**6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES – None**

**7. OLD BUSINESS - None**

**8. NEW BUSINESS**

**A. Nomination Papers for Selectmen Seat -**

The Town Administrator confirmed with Attorney Flewelyn that there was no issue if Selectmen Ed Walsh voted on shortening the nomination papers. With that being said, the proposed schedule is for papers to be available to take out tomorrow, October 28, 2021; signatures (between 25 – 100) to be gathered and turned in on November 12, 2021; and absentee ballots available on November 13, 2021; election to be held on December 14, 2021. It is not recommended to shorten the absentee ballot availability of 30 days. The goal is not run with a 2 member Board for any length of time other than necessary.

**Selectmen Ed Walsh made a motion to shorten the period for the nomination papers available; shorten the filing deadline for the open seat of Selectmen, Assessor, Overseer of the Poor expiring June 2024 as indicated, so the nomination papers will be available on October 28, 2021; deadline to turn them in is on November 11, 2021; absentee ballots will be available on November 13, 2021 and election day will be on December 14th; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

**B. Open Committees -**

The Town Administrator indicated that she wanted to review the open committees with the Board and stress upon the need to fill 2 of these committees. The current openings are for the:

- Zoning Board of Appeals – 2 alternate seats open. Even though it is a 5 member committee the zoning ordinance calls for four being a quorum. This means this Board really needs to have these seats filled.
- Rec Committee – This a big one whereas a big plea needs to be put out for members. There are currently only 2 members. Discussions have started regarding the tree lighting on the first week of December, somebody has got to step up and help this committee or these events will not occur. Even if a person does not want to be on the Rec Committee, any help that can be offered would be great.
- Warrant & Finance - alternate seat. The current alternate per the ordinance will be moved up into a regular seat due to Mr. Waterhouse’s resignation.
- Cemetary Committee – 1 open seat
- Planning Board – 1 alternate seat
- Road Committee has been removed from this list as the Town Administrator has a name to present to the Board tonight for that consideration.

The Town Administrator asked the Board if they had any ideas on how to get more involvement. Advertising and word of mouth; Selectmen David Winchell Jr. indicated he knew of a few people to speak to and encourage to join.

**C. Appointments –**

The Town Administrator updated the Board of Committee changes and new appointment to fill the spots. The Board discussed the election of committee members at Town meeting.

- **Road Committee** – Pat Stevens chose not to accept the Road Committee seat as determined at Town Meeting; Mr. Richard Blakney agreed to become the replacement member.

**Selectmen Ed Walsh made a motion to appoint Richard Blakney as Road Committee member until June 30, 2024 pursuant to 30A MRSA 2602; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

- **Zoning Board of Appeals** – The alternate Yoli Gallagher will move into the regular member position; leaving two alternate positions open on the committee.

**Selectmen Ed Walsh made a motion to appoint Yoli Gallagher as Zoning Board of Appeals Board member until June 30, 2023 pursuant to 30A MRSA 2602; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

- **Warrant & Finance** – The alternate Bernard Broader III has the same end date on his appointment term and will move up to become a regular member; this leaves one open alternate position on the committee.

**Selectmen Ed Walsh made a motion to appoint Bernard Broader III as Warrant & Finance regular member until June 30, 2022 pursuant to 30A MRSA 2602; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

**D. Upcoming Holidays Closures -** The Town Administrator reminded the Board that:

- Town Offices would be closed on Thursday, November 11, 2021 for Veteran's Day; Thursday, November 25 and 26, 2021 for Thanksgiving (the Friday will be unpaid for hourly staff but they can take it as PTO or unpaid).
- Looking ahead, Christmas falls on a Saturday this year; the Transfer Station will be closed. The Town Administrator is hoping that staff will be willing to be closed on Friday, December 24, 2021, Christmas Eve., however, again it will be an unpaid holiday for hourly staff and again they are welcome to use PTO or take as unpaid.
- On New Year's Eve, the office will probably work until Noon and then let all employees go home.
- Reminder, elections are on November 2, 2021 and the Town's Clerk Office will be closed on November 9, 2021 from 1:00 – 3:00 pm for staff to attend Motor Vehicle Training.

**E. Tattle Street Email –**

The Town Administrator shared with the Board an email received regarding Tattle Street and the author's request for an official answer as to the status of Tattle Street; the need was to know if it is a public road, public easement or private road subject to gates and chains. Second part of request was to know if abutters actually owned at the center line as indicated by the Town tax map and if abutters have legal rights to the center line. The Town Administrator continued that another email was received indicating the same author attached any known easements on Tattle Street for the record as it appears a portion of Tattles Street was given to the Town as part of Wentworth Pine's Estate agreement for possible future widening. The author continued, might I remind you of the maintenance agreement and deeded covenants sent to the CEO and Board earlier.

The Town Administrator asked the Board how they wished to respond noting that the Planning Board put certain stipulations on the Wentworth Pines subdivision and thus his question is if the Planning Board said A, B, and C has to happen in this subdivision, whose job is it to enforce it? Discussion ensued regarding the street, easements, sub division, road maintenance and issue. The burden falls on the author to prove the Board wrong; no more money will be spent on this issue. The Board decided this was a private road and no response was necessary as they had no other opinion on it..

**F. Resignation –**

The Town Administrator read aloud a resignation received from Julie Burnell, Alternate Member of the Saco River Corridor Commission; the other member is willing to remain on this committee.

**Selectmen David Winchell Jr. made a motion to accept Julie Burnell's resignation from the Saco River Corridor Commission; seconded by Selectmen Ed Walsh. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**

**9. PUBLIC COMMENT - None**

**10. ANNOUNCEMENTS**

- 11/03/2021 - Board of Selectmen 6:00pm
- 11/04/2021 - Planning Board 6:00pm
- 11/08/2021 - Conservation/Forest 7:00pm  
(With Selectmen Ed Walsh's resignation, Selectmen David Winchell Jr. will step in as liaison)
- 11/09/2021 - Road Committee 6:00pm
- 11/09/2021 - Warrant and Finance 6:30pm
- 11/10/2021 - Board of Selectmen 6:00pm
- 11/15/2021 - Rec Committee 5:30pm
- 11/17/2021 - Board of Selectmen 6:00pm
- 11/18/2021 - Planning Board 6:00pm
- 11/24/2021 - Board of Selectmen 6:00pm

**11. MEMBERS PRESENT**

**Selectmen David Winchell Jr., Selectmen Ed Walsh and Town Administrator Jennifer Roux; Selectmen Kimberly Stacey-Horn was absent.**

**12. ATTENDANCE**

**Mary Ann Robitour, Lee Robitour, Dennis Long, Joyce Bakshi, Robin Ham, Adam Doliber, Bernard Broader III, Virginia Deboer and Cheryl Drisko.**

**Selectmen Ed Walsh made a motion to adjourn at 6:40 pm; seconded by Selectmen David Winchell Jr. No discussion. All in favor. (Selectmen Kimberly Stacey-Horn was absent.)**