

SELECTMEN'S MEETING
October 30, 2019
6:00 pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE.

2. TOWN ADMINISTRATOR WEEKLY UPDATE

- Treasurer, Michelle Rumney was available during the Town Administrator Update to answer questions or explain; I.e, budget lines and overdrawn accounts.
- Mrs. Hart asked about all the auditors' concerns last week. The one not mentioned was on the back of the page; Xerox Contract at the Fire Department. It was mentioned previously, but not last week.
- Ambulance billing - T.G. Higgin's write off billing. The Town knows there is \$45,000, there was no authorization and the Attorney is working on it. However, the beginning and ending statements were missed. Mrs. Rumney will tell the Selectmen what the auditor is looking for in that.
 - Contract states that the billing company will send out bills three times and then follow up with a telephone call if they have a telephone number for the patient. Auditor asked, how will it be verified that bills were sent out three times? That protocols were followed on the billing company's end. According to the Town's reports, that verification is not indicated. This will need to be a conversation with the company to send them out 3 times before they let them sit.
 - The fee schedule for rescue billing also references in the contract that the Town works with them on an annual basis to review; to date we have had no such conversations, at least at this level, maybe the department level. However, the auditor would like to see a policy for the fee schedule. The fee schedule, which we have, has not been formally adopted by the Board of Selectmen. Another request of the auditor is for the Board to come up with a policy on what to do with all the lingering debt; especially those that are more than 12 months old and will probably not be collected on. Billing is already exhausted by that time; does the Town want to send to a collection agency or review each one on a case by case manner.
 - The Town Administrator suggested that once the Board has completed a review of the current policies in place that new policies be added (especially the ones we follow but aren't necessarily written out like they should be). Mrs. Rumney and the Town Administrator will work on and present to the Board.
- Update on the other items listed by the auditor are:
 - The Gym unfortunately will probably close come January or February.
 - Article 43 is being worked on each week.
 - Bank recs are being done.
 - The copier at the Fire Department, the Fire Chief will be notified.
- Last week it was discussed, "do department's need approval to overspend one line if the bottom line is not overspent"? The Town Administrator and Treasurer are going to work on a policy for that. Copies were made to review with the Treasurer explaining the highlighted items; the rest of the list can be taken to be reviewed at your leisure. It was calculated that most department lines should be at 33 – 35% based on where we are in the fiscal year; there are a couple line items that are close.
 - FICA and Social Security Medicaid Municipal Management (Building Maintenance) – This is over drafted because the Town brought in a second person to help with all the work on the back room as far as the strapping and ceilings were fallen.

- Tax Abatements – Historically, abatements have been very little. This year the Town has had a flux of abatements to settle, however, even though the number is high, a look needs to be done at the Supplement account number because much of those are a wash.
- Dues and Memberships under Landis – The CEO and Deputy CEO's memberships are both paid because a discount is received on the classes; it pays for itself in the end. The fee went up this year which was not anticipated.
- Roads – Payrolls sheets are received and reviewed every week. What is on the payroll sheet is the account that the Treasurer charges to when bills come in. The Treasurer uses her discretion looking at the bill, what it is and what line it should hit, but there are things that in creating the budget items were broken out more than before. Labor (under General Labor) eats itself up in the spring. What was budgeted for labor is overdrawn, so if approval is looked at every time something over draws, we are looking at approval every week for the roads. Discussion ensued regarding how to handle. Resolution was to combine labor into one line item, to break culvert and gravel out of materials and review closely for next year's budget; Treasurer will continue to watch closely. Selectmen will decide if this account will be exempt from coming back week to week when over drafted.
- Transfer Station Building Repair and Maintenance – work was done (fencing/guardrails) and the Treasurer does not expect for this trend to continue.
- Office Supplies for Cable – Equipment was budgeted for but not office supplies separately.
- The Treasurer anticipates seeing negatives on mileage this year because the reimbursement rate went up to \$0.58 this year for the Feds.
- A few other items presented to the Board of Selectmen last week from the Treasurer were:
 - Purchase Order Policy – How does the Board respond? Yay or Nay? The Road Department is currently doing; other departments are not. Selectmen indicated to hold for now.
 - Uncollected Debt Ambulance Billing Policy – to be discussed once Bourque & Clegg are done looking at that item.
 - Hardship Waiver Application – This is something the current billing system company has asked us for ; it will be revisited with the establishment of the Fire Chief's position. The Town Administrator will also gather some thoughts and samples from surrounding Towns on how much they waive when there's no insurance at all. One consideration is a cash discount.
 - Ambulance subscription – Again, a good conversation that can be had with the new Fire chief. Shapleigh has a program that offers 1 free ride per subscription that doesn't cover what insurance pays.
 - Committee Purchases and Procedures – The Town Administrator has received a request from the Recreation Committee for a formal written policy that states, regardless of who requests checks or orders, it should be one designated person from a committee. This is a standing policy, however, new Committee Members have no way of knowing such policies if not formalized. The Town Administrator and Treasurer will work on that.
 - Capital Improvement Committee – the Selectmen are advertising and have been advertising. Last discussions held were about maybe reaching out to some department heads and maybe getting a department head from the Fire Department, from the Transfer Station, and another couple of members to see if that was feasible. Mr. Waterhouse suggested the Board come up with a policy before the Committee was even established and what their member's duties would be. Discussion ensued.
 - Budget time line was established and presented.
- The Treasurer had a few more items to present to the Board:

- The Town's insurance company for Worker's Comp are offering a 3% discount if the Town has a formal written return to work policy when somebody gets injured. There is nothing written at this time, but 3% is huge for Worker's Comp. The Board supports drafting that effort; Treasurer's goal is to have in place before next year's renewal period.
- Has received many requests regarding the new earned leave that has passed through the State this year. While undergoing extensive training where this item was discussed in length, this new program does not apply to Municipal Employees. The Town will not be responsible for the part-time people that don't already earn PTO.
- During the hiring process, interviewers can no longer ask a perspective employee what they previously earned. It can be asked after they are made an offer but not beforehand.
- Public Officials elected and appointed need to comply with the Right to Know training. Previously, the Town Administrator has had a hard time getting some of the current to comply or even get sworn in. All elected and appointed officials will get a memo from the Town Administrator to comply.
- FYI – With the appointment of the new Fire Chief, the Fire Department will need to find approximately \$2,500 from their budget to cover the expense; this is available. The furnace was taken out of their building maintenance.
- Emery Mills Dam – The Treasurer is still awaiting on a response of when the Town will need to pay for these improvements. There will be a deficit of \$20,000 over what was budgeted. Also waiting to find out what the anticipated maintenance fees will be.
- Selectmen Kimberly Stacey-Horn (liaison), Town Administrator and Treasurer will be sitting down with the Recreation Committee Friday night at 6 pm to review unfamiliar policies and procedures.
- The Lion's Club gave the Town \$200 for the Turkey baskets and \$500 for the Fuel Assistance program.
- There is a memo out for the Town Report due November 15, 2019. The Treasurer's report is done; waiting on auditor's final numbers for the undesignated fund. Please get your Town Report letters done.
- Update in regards to the Forest Management Plan on Town Farm Road. Legal says the warrant article clearly authorized them to spend the money to develop the plan. Although it contemplates future timber revenues, legal did not see explicit authorization for the Board to sell off the timber unless they already have an Ordinance or other outstanding Warrant Article authorizing the Board to sell of the timber he would seek Town Meeting approval. It was ran past MMA for a second opinion and they agreed. So, the answer to the Forest Committee chair on whether they can do the work is “No”.
- FYI – Election schedule was presented to the Board of Selectmen.
- Appoints will be presented under “New Business”.
- H.R. Smith did confirm to Wednesday, December 4 to come in and talk with the Townspeople. Anyone who has questions, now is the time to submit them. This meeting will be advertised and placed on the website.
- An anonymous donation was made of a “Generic Standalone” generator to be given to preferably an elderly person, couple or family who could use it. They or the Town would have to have it installed or they'd have to come and get it as this couple is unable to deliver. The only reason it is being disposed of is that they updated their place and it no longer runs the whole house. It is supposedly only a couple of years old, very large and in good shape; just needs wired in. If anyone is interested, please let the Town Administrator know. There is not one at the Tower. The Town could definitely use it for the Tower, the Town Administrator will pass onto the Fire Department.
- A few cards were received:
 - Thank you to the Clerk's Office for all of the hard work verifying the peoples veto petitions.

- On behalf of the southern Maine's Veteran's Memorial Cemetery Association – The Treasurer paid out all of the first half of donations. They wanted to say how thankful they were for that and to the voters in Acton.
- Wilson Lake Association packet was received – Informational.
- 2020 Census is desperately looking for Workers. Paying \$16.58 or \$16 per hour and \$0.58 per mile.
- Copier downstairs will be install Monday at 2pm.
- Closet downstairs painting and shelves are done.
- Computer is needed for the Treasurer to support depositing check has been ordered.

Girls Scouts - Daisy's

Gwen from the Daisy Troop approached the Board to ask them if they can put a box at Town Hall to collect food for Thanksgiving baskets to help collect food for 2 baskets. This is their first service project.

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 23, 2019 as written; seconded by Selectmen David Winchell. No discussion. All in favor.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

A. Girl Scouts – done earlier

B. Recreation Committee –

Lisa Long and Carol K updated the Selectmen that the Recreation Committee had seventy three (73) kids finish the soccer season – Pre-K to 6th grade, Acton only. It was a huge hit. Basketball starts next week. League encompasses Acton, Shapleigh, Limerick, Newfield and Alfred. Huge challenge of utilizing the School gym because they extended their season. Practices can't start until 6 pm which is difficult for the 4 year olds; there is a loss of Wed. and Friday night's usage too. 50 Basketball sign ups and 23 Cheerleaders which have signed up. Cheer leading will be broken into two squads – an older squad and a younger squad. Coming to Board to request buying uniforms for the Cheerleaders. There is money available in their line items. Cost is around \$600 for these uniforms. The board agreed on the money move.

The Selectmen asked about the well's performance. Response: It is very high and forceful. Asking for permission to purchase a padlock for it. It can not be used until water and electric line is run; water can be hand pumped and used from the actual well but there is currently no other form of conveyance. Pricing for work is due back by the Rec Committees next meeting to be voted on.

C. District 1 -

Will Langley, District 1, Road Commissioner updated the Board meeting recap with gentleman on West Shore Drive. A copy of bullet points discussed was sent to the Town Administrator. Narrowing conversations down, it would be \$3,000 for them to do the sketch and all the grant for submittal. Track

record for grant writing experience shows that this company has received 3 awards out of 5 grants submitted last year. Mr. Langley asked the Board for their input on moving forward. Decision on whether to spend \$3,000 and not receive the grant should be taken into consideration. If the risk is taken, it might mean \$95,000 in matching grant monies; otherwise the Town may need to come up with 75,000 – 85,000 in funds. The money is available in the budget to do this. The Board discussed options.

Dave Langley, Interim Fire Chief spoke to the Board on this topic. He informed the Board that when he was the Road Commissioner for that project, there was a contingency plan put into place if there was a structural failure. The plan was to hire contractors to fill the area in with rocks. With the road and boat launch being owned by the State, that would need to be consider when doing the work.

Mr. Langley further informed the Board that if the grant is applied for, the award decision would probably not be received until January; when that happens, it was recommended that after the snow, it be surveyed and the engineering work be done on what will be done. Also commented was, if we go with this company offering the grant writing services, the Town can also utilize them for the engineering work. The Selectmen iterated that even if this company did the grant, the Town would have to go out to bid for the engineering work before a company is chosen.

Mr. Langley when asked, responded that he did not ask this company if the would take the \$3,000 off the top of the invoice if they were also awarded the engineering work too. What he did know was, that the grant writing company wanted to see if the grant would even be awarded before proceeding.

The Selectmen considered all information brought before them and told Mr. Langley to go ahead and go for it and proceed accordingly.

D. Furnace Update

Mr. Dave Langley, Interim Fire Chief approached the Board to give an update on the furnace to be put into the Public Safety Building. The furnace will be delivered tomorrow, October 31, 2019. Mr. Senecal will be in Monday through Wednesday to install. The Town Administrator noted that the final check is ready for when the work is completed.

7. OLD BUSINESS

A. Article 43 Applications / Letter

The Town Administrator prepared a denial letter for 13th Street for the Board of Selectmen to review and sign; Selectmen Winchell abstained from the vote and protocol dictates he will not sign the letter.

The Selectmen reviewed the Wilkins Road Article 43 packet received. The road was looked at by Selectmen Walsh and Stacey-Horn. Selectmen Winchell last week asked how the work impacted the lake. Selectmen Walsh indicated the road was in great condition. The large rock and stake denoting the ledge was seen. Work to be done is to spread the gravel and recover the road's crown. More of a crown is needed to keep the water from going into the lake. After careful review, the Selectmen decided they will grant under the old policy; noting that this is probably a one time consideration.

A motion was made by Selectmen David Winchell to approve the grant for Wilkins Road for \$1,100; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

The Town Administrator presented another Article 43 application for the Board to review. It will be on the agenda for next week.

B. Policies to Sign

1. **Abatement Policy** – The Town Administrator sent the Abatement policy over to O'Donnell's & Associates to review. There was no changes. The Board of Selectmen need to approve and sign.

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

2. **Debit and Credit Card Policy** – The Town Administrator presented and read out the policy for the Selectmen; the Treasurer also reviewed and approved. Presented to Selectmen to approve and sign.

A motion was made by Selectmen David Winchell to approve the Debit and Credit Card policy as written; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

3. **Acceptance of Payments Policy** – The Town Administrator presented the Payments Policy for signatures as it was already reviewed and accepted; Treasurer reviewed as well.

A motion was made by Selectmen David Winchell to approve the Acceptance of Payment policy as written; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

8. **NEW BUSINESS**

A. Executive Session M.R.S.A. 405 6 A

A motion was made by Selectmen David Winchell to go into Executive Session pursuant to M.R.S.A. 405 6A; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

A motion was made by Selectmen Kimberly Stacey-Horn to come out of Executive Session; seconded by Selectmen David Winchell. No discussion. All in favor.

A decision was made following the Executive Session to appoint Rick Smith for 3 years as the new Fire Chief for the Town of Acton.

A motion was made by Selectmen David Winchell to appoint Rick Smith as the Fire chief for the next 3 years; seconded by Selectmen Kimberly Stacey-Horn.

Discussion: Selectmen Winchell to recapped the Fire Commission's process to hire the Fire Chief. It was an enjoyable process and the Commission unanimously agreed that Rick Smith was the best choice.

All in favor.

Fire Chief Rick Smith stepped forward to thank the Fire Commission, Board and Town for selecting him as the new Fire Chief.

The Town Administrator swore Fire Chief Rick Smith into his appointment.

The Board of Selectmen asked the Interim Fire Chief Dave Langley to step forward and be thanked for taking on the role of Interim Fire Chief. Thank you!

B. Policies, 1st Reading

The Town Administrator presented 3 policies for the Selectmen to review for next week. Those policies were:

1. Access to a Public Meeting Policy
2. Access to Public Records under the Freedom of Information Act – will also be sent to the Attorney's for review. Note – take a close look at the fee schedule, it may need to be adjusted.
3. Appointment and Reappointment Policy – please take a close look towards the end of the policy regarding removal.

C. Goat Hill Bid

The Town of Acton is currently seeking seal bids for 3,350 feet of ADA compliant trail work to be done at Goat Hill. Specs of the work include:

- Bring all grades to 5% or less;
- Create new trail sections where necessary to confirm to ADA compliance standards;
- Stabilize the sides of the trails and create drainage where needed;
- Apply compact four to six inch by five feet wide aggregate mix surfacing on Geo texture over existing base.

Winning bidder must:

- Be a member of the Professional Trail Builders Association or equivalent;
- Have proof of liability insurance, Workers Comp or be deemed exempt by the State.

Work will be completed in the Spring, therefore bids must be valid through September 2020.

Questions can be directed to Carl Davis and the deadline to receive all bids is Tuesday, November 26, 2019. The State reviewed and this is mostly their language so the Selectmen need not change, but do however have to accept and approve.

A motion was made by Selectmen Kimberly Stacey-Horn to approve the Goat Hill Bid notice as written; seconded by Selectmen David Winchell. No discussion. All in favor.

D. Forest/Conservation Committee Resignation

The Board of Selectmen received and read Mr. Kyle Davis' letter of resignation from the Forest/Conservation Committee.

A motion was made by Selectmen David Winchell to accept Mr. Kyle Davis' resignation from the Forest/Conservation Committee; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

E. Appointments / Openings

The Town Administrator presented the following appointments to be acted upon by the Board of Selectmen:

- Dennis Long – Planning Board Member
- Virginia Shea - Warden
- Sheila Conway – Deputy Warden, Ballot Clerk and Warden

- Nancy Ruma – Ballot Clerk
- Marita Lowell – Ballot clerk
- Don Vansinderen – Ballot Clerk
- Jeanette Bearse – Ballot Clerk
- Estelle Gore – Ballot Clerk
- Joan Nass – Ballot Clerk
- Jenny Moore – Ballot Clerk
- Virginia Deboer
- William Lotz – Ballot Clerk

A motion was made by Selectmen Kimberly Stacey-Horn to appoint Dennis Long as Planning Board Member until June 30, 2021; seconded by Selectmen David Winchell. No discussion. All in favor.

A motion was made by Selectmen Kimberly Stacey-Horn to appoint Virginia Shea as Warden and Sheila Conway as Deputy Warden until June 30, 2021; seconded by Selectmen David Winchell. No discussion. All in favor.

A motion was made by Selectmen David Winchell to appoint Nancy Ruma, Marita Lowell, Don Vansinderen, Jeanette Bearse, Estelle Gore, Joan Nass, Jenny Morse, Virginia Deber William Lotz and Shiela Conway as Ballot Clerk until June 30, 3021 ; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

There will be 2 Planning Board Alternate seat openings (1 for a 1 year term and 1 for a 2 year term) and one Forest/Conservation seat opening (term is until end of June 2022).

F. H Road Property

The Town Administrator presented properties outstanding taxes and properties owned by the Town and now exempt from taxes. The auditor in order to clean up the account made a recommendation for the Board to make a motion to write the 3 years taxes off the books. The Selectmen agreed. The Town Administrator will also provide the Selectmen with a list of all Town owned properties.

G. Sign Request / Newfield

The Town of Newfield sent the Town of Acton a check for their portion of the work done on Balch Dam. Along with the check was a request that the Town of Acton purchased 8 signs to be posted; Newfield purchased them the last time they needed replaced in 2017.

The Selectmen agreed. The Town Administrator will assign an appropriate account for payment.

H. Executive Session M.R.S.A. 405 6 A

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A motion was made by Selectmen David Winchell to come out of Executive Session; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

I. The Selectmen decided to cancel next week's Selectmen's meeting.

9. PUBLIC COMMENT - None

10. ANNOUNCEMENTS

- Videographers Needed - \$50.00 stipend per meeting
- Crock Fest Nov 2 to benefit the Library
- State Election Nov 5
- Planning Board Public Hearing Nov 7 @7pm – read out to the public.
- Transfer Station Closed Nov 11
- Town Report Letters Due Nov 15
- Town Hall Closed Nov 28 & Nov 29 for Thanksgiving
- Tree Lightening Nov 30

11. ATTENDANCE

Carol K, Lisa Long, Susan Meehan, Jim F., Mr. & Mrs. Lopez, Rick Smith, Gerry Intonti, Dave Langley, William Langley, Robin Langley, Rollin Waterhouse, Adam Small.