

**SELECTMEN'S MEETING
TOWN OF ACTON
September 3, 2015
5:00pm**

SALUTE TO THE FLAG

1. APPROVAL OF AGENDA

Bill Shields made a motion to approve the agenda as written; seconded by Ed Walsh, motion carried.

2. APPROVAL OF MINUTES OF LAST MEETING:

Bill Shields made a motion to approve the minutes from August 27, 2015, seconded by Ed Walsh, motion carried.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

Town Clerk/Office Manager

A. TBD Site Plan

Steven Dumont from TBD discussed with the Board the hopes of bringing forward an updated and final site plan for the Selectmen to review by next Thursday. Road Commissioner Winchell indicated that the survey should happen in the next few days. After that is complete, Steve will deal directly with the CEO to obtain the necessary permits and start work on Monday, September 14.

B. Fire/Rescue Merger Update

Jennifer Escoto updated the Board on progress made in the last week. She is in the process of applying for the required Medicaid and LPI numbers. The State license is expected to arrive any day. After discussion it was decided that the Office Manager would schedule a meeting with the Rescue Chief, Fire Chief, Selectmen Liaison and Office Assistant to discuss next steps.

C. Conditional Use / Rt. 109 Restaurant

A legal opinion from Joe Lenknowski was presented to the Selectmen indicating that a new Conditional Use permit is not required for the Route 109 Restaurant, instead said permit carries from owner to owner. Fire Chief Smith reported he had no concerns with the building. Motion made by Bill Shields to approve and sign the liquor license application as presented, seconded by Ed Walsh, motion carried. License granted.

D. Town Report / Deadline was Aug 21, Still Missing:

Board of Selectmen Report
Ambulance Association Report
Animal Control Report (14/15 - Shippee)
Saco River Corridor Commission
Acton Recreation
Auditor Report

Chairman Kryzak reviewed the list of missing documents. He indicated the Selectmen's report would be completed over the weekend and the Board agreed to reach out to the other committees.

E. Flag Wavers Quote

Mrs. Roux presented the Board with two quotes from Flagwavers for the flags, stands, and bases for the lower level meeting room. After discussion, motion was made by Ed Walsh to go with Option B in the amount of \$435.04; seconded by Bill Shields. Motion Carried.

F. W/F Committee Opening

Mrs. Roux explained to the Board that one of the alternate positions elected on Town Floor in June should have been for a 1 year term, instead of both for 2 years. She confirmed this with legal and will speak to both elected persons to determine how it will be resolved. Mrs. Roux will

also send a letter of regards to the individual who showed interest in the position when it shouldn't have been advertised.

G. School Board Vacancy

Mrs. Roux announced that the School Board appointed Amanda Cobb to fill the recent vacancy created by Diana Pettis.

H. Assistant Position

Mrs. Roux discussed with the Board the lack of response from the recently advertised assistant position, with that said, the deadline has been extended until Sept 18. Additionally, it will be advertised in more places.

I. Tax Bills

Mrs. Roux announced that tax bills have been mailed and delivered, anyone who hasn't received their bill yet should contact the Tax Collectors' Office.

J. Set Special Town Meeting Date: Mrs. Roux reminded Board Members that the Public Hearing to discuss the questions to be considered at the Special Town Meeting has been set for October 17th. Motion by Mr. Walsh, seconded by Mr. Shields, to set the Special Town Meeting for Tuesday, October 20th at 7:00 p.m. to be held at the Acton Elementary School. The motion carried 3-0. Larissa Crockett assured the Board that recommendations from the Warrant and Finance Committee will be submitted to the Office Manager by Tuesday morning, October 6th.

K. 4.2.2.6 - Poyant/Cashin: Mr. Poyant stated that he only attended the meeting to provide information if required; otherwise, he didn't wish to speak. Mrs. Roux indicated she added this to her list of communications due to the extensive email Mr. Poyant had send in.

L. Electronic Fees: Mrs. Roux explained that requests for general information to be sent electronically have increased. Consensus of the Board was that the policy should be amended to state that property information is available online and will not be available to be sent electronically by staff. The Office Manager will amend the policy to reflect that change and provide copies at an upcoming meeting.

4. OLD BUSINESS:

5. NEW BUSINESS:

A. Emery Mills Dam: Board Members reviewed the inspection report and decided to address the information at the next meeting.

B. Girl Scout Request: In answer to a request from Acton Brownie Troop, motion by Mr. Walsh, seconded by Mr. Shields, to approve the request and waive the fees for use of the downstairs meeting room on the first and third Tuesdays of each month from 5:45 through 7:15 p.m. beginning October 6, 2015 through June 7, 2016. Mrs. Roux acknowledged that leaders and scouts are fully insured. The motion passed 3-0.

6. OTHER BUSINESS:

7. ANNOUCEMENTS:

1. Transfer Station Closed Monday, September 7
2. Public Hearings Sept 17 (Fire/Rescue, Transfer Station, Zoning)

8. PUBLIC COMMENTS:

A resident inquired about the current level Mousam Lake, which is the lowest he has ever seen it in early September. Mr. Shields responded that as a result of the recent inspection of the dam, the gates will require some maintenance before the level of the lake can be adjusted. At this point, the State has declared that the safe operation, maintenance and repair of the dam will require action of the committee. Mr. Kryzak stated that members are needed to serve on this committee.

Larissa Crockett requested that either the questions that were previously submitted by the Warrant and Finance Committee to the Board of Selectmen be forwarded to MMA for response or, if those questions have been answered, that the Board provide documentation of the response. She reminded the Board that the questions were, specifically:

- If the Committee wishes to recommend that articles be tabled, how would that recommendation be worded, and
- Is the manner in which the articles are written legal: if “Article 2 passes, Article 3 will not be considered and if Article 2 fails, Article 3 will automatically be approved”.

She expressed concern that the way the articles are written, voters are being “forced to vote “yes”. She also questioned if the Board is “acting in good faith” if they present an article that contains language that, according to the letter from the DEP, is faulty and will require amending. Mr. Kryzak reminded her once again, that the questions were formed with the assistance and advice of the town attorney and that because the June 9th vote was a statement that voters want a change in the Ordinance, one of the two amendments should stand.

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

10. OTHERS PRESENT: Larissa Crockett, Paul Poyant, Dick Neal, Chip Venell, Jennifer Roux

11. ADJOURNMENT: Motion by Mr. Walsh, seconded by Mr. Shields to adjourn the meeting. Motion carried 3-0.