

TOWN OF ACTON SELECT BOARD MEETING AGENDA
August 16, 2023
6:00pm

1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE

Winchell, Jr. called the meeting to order.

2. WARRANTS/BILLS

Signed

3. APPROVAL OF AGENDA

Walsh made a motion to approve the agenda; seconded by McGurty. All in favor. Motion carried.

4. MINUTES OF LAST MEETING

Winchell, Jr. made a motion to approve the minutes from August 2 and August 9; seconded by Walsh. All in favor. Motion carried.

5. TOWN ADMINISTRATOR WEEKLY UPDATE

Roux announced Doug Ackroyd has accepted the Fire/EMS position.

A review was completed of the current terms of the Conservation/Forest Committee members; there are currently three openings on the committee. An email has gone out to confirm the status of the committee. McGurty questioned how many members are on the committee; Roux confirmed seven, including the Forester.

The town completed its first investment rollover today: the first 30-day T Bill will come due August 17 (it was turned over to 90 days with a rate of 5.34 percent). It was a million-dollar T-Bill and the town has received \$5800 in interest in that short amount of time. McGurty advised that a review was done with the Treasurer regarding how to get access to the Wisdom Tree Variable Rate/Floating Rate Treasury Note Fund: which is an emergency fund that can be accessed within 3-5 days in case of an emergency. The Fund has one million dollars in it and has an interest rate of 5.3 percent.

Roux also advised that McGurty also spoke with Partners Bank to update processes and safety protocols.

The State of Maine has done away with the Stabilization program. A new program is being put into place: the State Property Tax Deferment Program, which will need to be paid back when the owner passes and the property transfers to an estate or when the property is sold.

Roux advised the Zoning Board of Appeals is a committee that has not been reappointed; but the committee at this time needs to be filled due to potential upcoming issues.

McGurty questioned what qualifications should committee members have? Roux advised someone who is fair/unbiased and familiar with zoning. Roux advised this is a seven-member board: 5 members and 2 alternates. In the last 10 years, this committee has met twice. McGurty questioned disputes. Roux advised Planning Board disputes can go to Superior Court.

Due to there being five weeks in August there will be no Select Board Meeting on August 23. The next meeting will be August 30. The website will be updated.

A plan needs to be put in place for the Board to assist the Town Administrator enforce (with the department heads - elected and appointed) issues with vendors. Vendors are being called in to complete work: liability insurance and proof of workers compensation (or exemptions provided by the state) have not been provided/requested prior to work starting. Multiple departments have had vendors working without providing proper documentation. McGurty suggested that a process should be put in place and approval should go through the town and a formal review needs to be completed prior to hiring. Roux continued, advising a memo will be sent to all department heads indicating what is required when hiring a vendor. Also stating that consequences need to be put in place. Winchell, Jr. suggested if proper paperwork/verification has not been provided, the Department Head will be written up and the check will be withheld, for 30 days. Roux advised per Maine Municipal Association payments need to be issued by the next pay cycle. McGurty advised if there are no payment terms, a 30-day payment is standard. Winchell, Jr. confirmed. McGurty questioned if Maine Municipal can assist with a review in this area and assist with best practices with other towns, to assist with putting together a purchasing program for the town. Roux will reach out to see if anything is available.

6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

Sam Singleton, Recreation Director:

Last Fall the Recreation Committee held a Mum Fundraiser and would like to pursue this again. Roux questioned the profit. Singleton confirmed the profit was \$563.

Discussion began regarding committee meetings starting soon as an item up for discussion is storage. Winchell, Jr. questioned current storage for recreation. Singleton advised in her residence. Further discussion about where to move items. Roux suggested the gym or voting hall. Winchell, Jr. suggested renting a unit. Roux stated to obtain price quotes to further discuss options. McGurty suggested temporary storage with the Fire Department. Roux will reach out to Wayne Ham.

Roux advised Recreation Committee meetings should be able to start after Labor Day.

Winchell, Jr. further questioned the Mum Fundraiser. Singleton advised last year the Select Board authorized one fundraiser per quarter. Roux advised the Board indicated no fundraising as funds have been appointed in the budget for the Recreation Department/Committee. Winchell, Jr. spoke with new committee members about more participation and limited/no fundraising being needed.

Soccer starts August 21 with games starting September 16. With a Tournament the weekend after Columbus Weekend.

Singleton also advised that parents have been reaching out regarding a before and after-care program for summer camp and school. Winchell, Jr. questioned a discussion about this last year. Singleton advised this was discussed but not approved. Roux advised this was a liability issue. Winchell, Jr. indicated that this needs to be discussed with the committee prior to it being brought to the Select Board. McGurty questioned if this should be school related verses rec. related, also indicating there are lots of regulations and liability issues regarding childcare. Roux questioned the schools' interest. Singleton indicated that Ross offered the school for use of the program, being run through the rec.

Singleton continued, indicating that she has paid out of pocket to become a member of the Maine Parks and Recreation Association. Winchell, Jr. questioned why this was done out of pocket. Singleton advised this was not in the budget and she didn't bring this up for discussion. Roux advised this should be discussed.

Winchell, Jr., suggested that after-care be put on the Recreation Committee's agenda for further discussion, however, primary focus should be on the current sports being offered.

Robin Ham, Transfer Station:

Ham announced that Berwick and Lambert will take the containers for scrapes and announced that the compactor and bailers were serviced by Atlantic Recycling. Ham announced that servicing is done yearly. Roux confirmed

that insurance and workers compensation is only good for one year. Winchell, Jr. advised that updated insurance and workers compensation needs to be obtained every year from vendors – new and existing.

7. LIAISON UPDATES

n/a

8. OLD BUSINESS

A. Fire Station Phone System

Roux is working on the RFP – no update this week.

9. NEW BUSINESS

A. West Shore Drive Culvert Extension Request

Nick Curtis, Curtis Earthworks

Curtis reached out to Noreen for possible extension due to rain/water level. Curtis is looking to extend completion dates from the start of October to the end of October. Roux confirmed per the email she received, October 3 to November 3, 2023. Curtis reached out to Sanford regarding who controls the dam and water levels: Sanford controls the water levels and advised the water levels can be dropped in the beginning of October. Sanford indicated they would not make special adjustments for the culvert project. Curtis received an email indicating why the water can't be lowered sooner; Roux requested the email be forwarded for review.

Roux advised that the town/Roux received an email from Inland Fisheries Chief Planner, Diano, today, regarding property use (for vehicle/equipment storage) and blocking access to property for culvert project. Winchell, Jr. indicated a right of way past the boat launch; we will need to confirm owner of right of way to confirm access.

Walsh made a motion to amend the project dates to October 1 through November 3, 2023; seconded by McGurty. All in favor. Motion carried.

B. Tax Rate Calculation

McGurty advised of a meeting with the Assessors, Treasurer, and Town Administrator, and went through the rate calculation, and agreed on the numbers. 11.95 was the tax rate in place last year, 2022-2023. Last year the town used \$300,000 in undesignated reserves and the school used \$296,000 of its reserves, bringing the net amount the town needed to be funded from tax revenue to \$7.259 million.

The property valuation for the town last year was \$607,000. That created a calculated mil rate of 11.95 percent.

For 2023-2024; Excise Taxes have increased, giving the town more revenue; permits and licensing fees are going down; investment income will go up; Rescue Service Fees are down; the town will not receive ARPA funds this year; and Maine Revenue Sharing is equal. The school has \$200,000 in Undesignated Reserves. This year the amount of funds that need to be raised for tax revenue needs to be \$8.183 million.

The value of the town's property has increased more than 95 percent and is currently \$1.191 billion. Without the use of the Town's Undesignated General Fund the tax rate would come to 6.87.

There is a potential for an Operating Budget Surplus for FY2023.

If the town uses \$500,000 of Reserves, the tax rate would go to 6.45.

Judith Shain: The School usually sends surplus back to the Town and Taxpayers. Once final figures are in the School Board will vote to turn some of the surplus funds over to the Town.

McGurty suggested that once final numbers are established that the School Board and Select Member Board set up a meeting to further discuss the surplus fund and replenishment of the surplus. Shain agreed to set up a meeting.

Winchell, Jr. made a motion to appropriate \$500,000 of general surplus towards the taxes to set the tax rate at 6.45; seconded by Walsh. All in favor. Motion carried.

C. Arnold Murray Correspondence

Roux advised that an email was received on July 13, from Arnold Murray, indicating that the town voters were disenfranchised by being denied the Town Report. Also indicating that the town did not comply with State Law and the Audit Report was filed with the State on April 12; the auditor works with a quarter of the municipalities in Maine and is not sure why the auditor is not in compliance. This email was sent to the Select Board Members. McGurty indicated that Murray was not happy with the response from the Town Administrator versus the Select Board Members directly; further advising that each Select Board Member discussed their response with Roux to draft a letter prior to the reply being sent out.

In response to the Town Report, the Town is able to show proof, via a UPS shipping receipt, that a copy was in the Maine Municipal Office three days prior to the Town Meeting. During the week of the Town Meeting, only one person came to the office looking for a copy of the Town Report and was provided with a copy to view. Roux advised it was not ideal to not have copies readily available in the office to hand out, however, if anyone had requested a copy, we would have provided them with a copy.

McGurty added that the RHR Smith audit was sent to the State prior to being reviewed by the Select Board Members. The Short Form Audit was provided by the Town for the Town Report. The Short Form Audit was received and forwarded to the printer on May 23, the same day, for immediate processing. Roux continued, stating that after sending the response to Murray, he replied indicating the Town Administrator was left off the original email to check the response time of the Select Board Members. McGurty also added that the report should have been provided in November and the delay was out of the town's control.

McGurty indicated that if Murray has further questions, he is invited to attend a future meeting.

D. Richard Neal Correspondence

Letter received for the Lincoln School Preservation – tabled.

E. Commercial Hauler Application

Travis Penny, permit expired June 30. The Superintendent had a conversation with Penny and will remain in contact with Penny until the paperwork is received. Ham will review paperwork to confirm if it is not already received.

Walsh advised of a few individuals are hauling for a fee that the town is unaware of, according to posts on Facebook. Roux asked for posts to be forwarded to the town.

Walsh made a motion to approve Travis Penny hauling pending all proper documentation is received; seconded by McGurty. All in favor. Motion carried.

F. Executive Session Personnel 405 6.A.1

Walsh made a motion to go into Executive Session 405 6.A.1. – Personnel Matter at 7:37pm.; seconded by McGurty. All in favor. Motion carried.

Walsh made a motion to come out of Executive Session 405 6.A.1 – Personnel Matter; seconded by McGurty. All in favor. Motion carried.

10. PUBLIC COMMENT

n/a

11. PENDING

Richard Neal correspondence

12. ANNOUNCEMENTS

On Website

Walsh made a motion to adjourn the meeting; seconded by McGurty. All in favor. Motion carried.

13. MEMBERS PRESENT: Select Board Members David Winchell, Jr., Tom McGurty, Ed Walsh, Town Administrator, Jennifer Roux

14. ATTENDANCE: Robin Ham, Sam Singleton, Nick Curtis, Judith Shain, Richard Neal