

**TOWN OF ACTON SELECT BOARD MEETING**  
**October 11, 2023**  
**6:00pm**

**MINUTES**

**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 Norwood. All in favor. Motion carried.**

**4. MINUTES OF LAST MEETING**

**Norwood made a motion to approve the minutes from October 4; seconded by Walsh. All in favor. Motion carried.**

**5. TOWN ADMINISTRATOR WEEKLY UPDATE**

Absentee ballots for the November election are available in the Town Office: we have already issued over 60.

Taxes are due on October 17.

Dog registrations start on October 15.

The Town received a phone call from IFW that Agent Fees will be increasing – Roux has reached out to our State Legislature to get more information – Agent Fees have been increased on 2 of the 3 authorities sold in the Town Office. The fees have been \$1 for renewals and \$2 for new registrations. As per a vote in Augusta the Agent Fees have been increased to \$5. Roux questioned IFW if we can leave Agents Fees as \$1 and \$2: and was advised that the fees stand and take effect November 1. Roux is waiting for follow up from State Legislature to discuss the Agent Fees further and will provide an update once available. This affects ATV's and Snowmobiles, not boats.

**6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**

**A. Fire Department**

Wayne Ham, Fire Chief

Engine 2 (2013 Fire Truck) had a major failure last week in the pump and transfer case. Estimates for repair and/or replacement have been obtained.

Annual pump tests are completed every year for the three Class A pumper trucks. Engine 2 failed the pump test: It has 286 pump hours. The pump and transfer case have been inspected by certified fire truck mechanics and have indicated that this model has been an issue with other departments serviced. The pump that is in Engine 2 is no longer available as it has been updated to address issues and concerns.

There are no recalls or warranties available on this truck.

Ham reviewed the estimates: the transfer case can be rebuilt (initially confirmed, the main bearing has let go), the pump is connected to the transfer case. Mechanics have recommended replacing both the transfer case and pump.

New pump and transfer case (labor/parts/pump test):  
\$27,000 – Reliance Equipment, and  
\$32,486 - Rebel Truck

Roux indicated that the budget can be used towards repair and/or replacement and Article 9 (for unexpected emergencies) to cover the remainder.

Ham indicated that if the Town can use Article 9, there is enough in the maintenance budget to cover the excess beyond what Article 9 will cover.

McGurty questioned if this truck remains out of service, what the safety implications are. Ham advised this is the Fire Departments primary pump truck and Ham does not want to run without this truck. There is an engine running in place of Engine 2, however, it is the oldest in the Department.

McGurty questioned if there is enough in the budget to cover this expenditure or if there must be a special town meeting to make accommodations for this maintenance item. Roux indicated that if we go to a Special Town Meeting to approve the funds, that will be the quickest way to cover this expense versus going through Warrant and Finance to approve Article 9 in advance. Walsh questioned what is available in the Maintenance line of the Budget for the Fire Department. Ham indicated that his budget was combined in the change to the new accounting firm: radio maintenance and vehicle maintenance were combined into one budget line item, general equipment maintenance. The current accounts do not reflect the approved budget.

Winchell, Jr. indicated this is a catastrophic breakdown, not a general maintenance issue: the Town will stand behind this. Winchell, Jr, wants to confirm the timeline and payment options. Ham indicated that once parts are in this can be completed in 1-3 days per the mechanic.

Further discussion continued regarding budgeting. Winchell, Jr. indicated that there should be an emergency fund. Roux suggested increasing Article 9. This will be looked into and discussed further.

#### B. District One Road Commissioner

Will Langley, Dist. One.

Current work/updates: H Road project with York County Soil and Water is underway. The beaver dam has been removed and the bank is rip-wrapped. Heading toward the dump, down the hill, the road has been ditched along one side. There is a concrete culvert and metal culvert that goes under the road: it has collapsed. A minor repair was completed. Walsh went to view with Langley, and Langley is looking for suggestions on how to proceed. Winchell, Jr. suggested getting a price quote for a slip line for the culvert.

Langley advised he was told he is unable to slip line by the state. A slip line is the only way to repair without closing H Road for repairs. McGurty suggested reaching out to Sebago Tech to look at the culvert. Langley spoke with Sebago already and will follow up to further address.

Langley indicated there has been discussion with a West Shore Drive resident regarding the detour road and creating an agreement between the landowners and the town for an easement along the detour road in case of an emergency. McGurty questioned who suggested this. Langley stated it was a suggestion of the resident. McGurty doesn't believe the town should incur a cost for an easement once the project is completed. Roux continued, indicating the town would not want to maintain an additional road.

Langley brought attention that the detour road has been posted as no walking/bikes. He has put up construction signs. Calls have come into the Town Office regarding road use. The residents have indicated that they wish to not have residents on the detour road due to potential liability with the large trucks. Winchell, Jr. spoke with the contractor and the contractor believes within 2 more weeks, the work may be done. Winchell, Jr. questioned paving. He received a call last week; the plans didn't match the hot top from Langley and the hot top planned by the contractor. Langley advised that Allstate will be paving, and the pre-bid meeting was not updated to match where Langley stopped paving. McGurty questioned who should have noticed this error: the Town has an engineer that is overseeing this project. This should have been caught by the engineer. McGurty also questioned if we have contacted the engineer regarding this error. Roux confirmed the last conversation was regarding IFW.

McGurty stated that per the contract the town was paying the engineer to monitor and manage the project and he doesn't believe they have been on site since the project started. Roux will pull the contract to review. Winchell, Jr. spoke with Nick today regarding the paving issues.

#### C. Robin Ham, Transfer Station

McGurty requested follow up per the conversation last week regarding chipping at the Transfer Station. McGurty questioned if a bid was completed for chipping. Ham stated there was no bid completed: further indicating his mistake for not getting bids per his misunderstanding of the item being budgeted. The invoice was \$9050. McGurty wants to express concerns with not following the bid process: this applies to all department heads. The public expects the Town to follow procedures and when procedures are not followed as expressly stated/written it reflects poorly on the Administration and Select Board. All departments must follow the bid policy. Winchell, Jr. continued stating the bid process assists department heads in the budget process year to year. If this came in over \$10,000 (which was budgeted) where would the funds have come from. Ham confirmed he needs to be more familiar with the town's policies.

Winchell, Jr. indicated this was not a single occurrence. Ham is at most meetings and policies and procedures are addressed frequently regarding business at the Transfer Station; also stating insurance requirements are not being met in advance of work being performed.

Walsh, as the Transfer Station Liaison, spoke with Ham last week, indicating the forgiveness period is over. Procedures and policies need to be followed.

Roux further addressed the bid process: anything \$1000-\$4999 needs a minimum of 3 bids; over \$5,000 starts the sealed bid process. McGurty suggested hosting training regarding the bid process.

Ham questioned bush hogging: Roux asked cost. Ham advised the town rate last year was \$900. Roux raised the concern that last fiscal year Ham awarded the bid to himself as the Superintendent of the Transfer Station. Roux advised this year that this needs to go out to bid: McGurty furthered the discussion

raising the question of conflict of interest. If this is ready to go to bid, McGurty suggested including this with the Lawn Care Bid. Roux questioned the timeline; Ham indicated this won't be done until early Spring, but bids should start now. Roux advised Ham to plan to meet to put together an advertisement for two weeks to obtain some numbers.

Chief Ham has additional questions regarding the bid policy: as a department head, can the purchasing policy be looked at and updated. For example, \$1,000 is not much, especially when it comes to Fire Department purchases. The amounts proposed for collecting bids need to be addressed as the cost in the current market has not been considered with the current bid policy, per Ham. McGurty indicated that he believed \$1,000 is too low; Ham confirmed, reaffirming his request that the bid process be reviewed further.

## 7. LIAISON UPDATES

McGurty: Warrant & Finance / Town Finances, APAT, Cemetery

Our first budget to actual statement through September 30, has been received from our new accounting firm, and is trending well.

Investments: Initial deposit on June 30 of \$4 million with one withdrawal, September 12.  
Initial buys – three treasury bills in the Wisdom Tree Floating Rate - \$1 million into each  
Maturity dates: August 18 at 5.1 percent; September 21 at 5.2 percent; October 3 at 5.26 percent.  
Laddered portfolio, being rolled over every three months.

\$28,900 received in interest to date.

Bonds that are currently outstanding, we have accrued/earned an additional \$20,500.

We are close to \$50,000 in earnings through September.

Walsh: Roads & Road Committee, Fire Department, Transfer Station

n/a

Norwood: School Department, Conservation / Forest

School Board Meeting on Thursday.

Winchell: Code Enforcement / Planning Board, Recreation Committee, Mary Grant

Mary Grant is looking for pumpkins for the pumpkin carving event.

## 8. OLD BUSINESS

A. Article 43 – Tattle Street

Norwood reviewed the Article and had no further questions.

**McGurty made a motion to approve Article 43 – Tattle Street in the amount of \$3,000; seconded by Norwood. All in favor. Motion carried.**

B. Sand Bids

Will Langley, District 1

Langley had a conversation with the lowest bidder and went to the pit to view the sand. The material in Shapleigh is not screened yet. The lot is not ready to go. Langley contacted them again and was informed of another pit in Parsonsfield that is ready to go (3,000 yards of screened sand). The price will be honored for the Parsonsfield pit location. The Shapleigh location has had a sift test, and the test can be provided for viewing. Langley will view the Parsonsfield location. Winchell, Jr. questioned delivery of the sand. Langley advised that the company has two tri-axels available for delivery and if needed, can obtain more to accommodate the town.

Winchell, Jr. suggested confirming how many yards can be received per hour (per day) to confirm no delays. If delays, will the other bids be more appropriate.

Tabled for additional confirmation.

C. Speed Trailer / Boxes

Tabled

D. Old Gym / Fitness Center

Roux provided copies of the plan to Dan and Ed from the facilities assessment, to prepare recommendations for next week.

McGurty suggested reaching out to Sebago Tech – an assessment has already been completed. Can Sebago Tech look at the facility and make suggestions as well.

**9. NEW BUSINESS**

A. Pole Permit

Tabled

B. Lawn Care Bid

Roux advised the Lawn Care Bid is due: we need to add to it and discuss the current contract. The Rec Field needs to be addressed.

All Town properties need to be bid to be maintained:

Blueberry Hill Tower

Rec Field

Mary Grant Preserve

Lincoln School House

Town Hall

Fire Station

Transfer Station – Bush Hogging

The bid should include a monthly breakdown to include Spring and Fall Clean Up, mowing and weeding.

McGurty questioned who cares for the Town Hall property: flower garden, weeding and mowing. Roux advised that the Garden has been maintained by volunteers. The Veteran's Stone has been maintained by the Church. McGurty would like to see this included in the bid.

Roux will put together a Lawn Care Bid for review next week.

**10. PUBLIC COMMENT**

N/A

**11. PENDING**

A. Ordinance: Moorings in Waterways

Legal opinion and samples from other water towns contracts pending for review.

**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 Chair, David Winchell, Jr. Select Board Members, Tom McGurty, Ed Walsh, and Daniel Norwood, Town Administrator, Jennifer Roux**

**14. ATTENDANCE: Robin Ham, Will Langley, Joe Ruma, Joyce Baski**