

**TOWN OF ACTON, MAINE  
WARRANT  
TO  
Robert Anderson  
A CITIZEN IN THE TOWN OF ACTON  
YORK, SS  
GREETINGS:**

In the name of the State of Maine you are hereby requested to notify and warn the inhabitants of said Town of Acton, qualified to vote in Town affairs to assemble at the Acton Town Hall on June 18, 2019 at **8 o'clock in the morning** to act on the following articles, to wit:

**ARTICLE 1:** To choose a moderator for said meeting.

**Richard Nass was elected moderator, by written secret ballot.**

**ARTICLE 2:** To elect by secret ballot: one (1) Selectman, Assessor and Overseer of the Poor for a three year term.

**221 Komezubumwe, Carol**  
**224 Winchell Jr., David A.\***  
**13 Write-Ins/Blanks**

**\* David Winchell Jr. was elected.**

**ARTICLE 3:** To elect by secret ballot: One (1) member of the School Committee for a three year term each.

**370 Cobb, Amanda\***  
**88 Blanks/Write-Ins**

**\*Amanda Cobb was elected.**

**ARTICLE 4:** To elect by secret ballot: One (1) Road Commissioner for District One for a three year term.

**255 Langley, William D.\***  
**193 Pearson, Tucker C.**  
**10 Write-Ins/Blanks**

**\*William D. Langley was elected.**

**ARTICLE 5:** Shall an ordinance entitled, "Road Committee Ordinance", final draft dated 05/15/2019 be enacted?

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/0

244 YES\*  
179 NO  
35 Blanks

**\*Road Committee Ordinance was adopted.**

**ARTICLE 6:** Shall an ordinance entitled, "Road Commissioner Ordinance", final draft dated 05/15/2019 be enacted?

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 4/1

245 YES\*  
172 NO  
41 Blanks

**\*Road Commissioner Ordinance was adopted.**

The polls for election of officers and the referendum questions will open immediately after the election of a Moderator and will remain open until **8 o'clock in the evening**. After the closing of the polls, the meeting will be recessed until **Saturday, June 22, 2019 at 8 o'clock in the morning**, when action on the remaining articles will begin at the Acton Elementary School.

**ARTICLE 6A:** To choose three (3) members for the Road Committee should Article 5, voted on by secret ballot on June 18, 2019 pass, for a term of 3 years each. If Article 5 fails, Article 6A shall be dispensed of.

**Article Dispensed Of, Based on Article 5 Passing.**

**ARTICLE 7:** To choose three (3) members of the Town Road Committee for a 2 year term. This article shall be dispensed of if Article 6 passes by secret ballot on June 18, 2019. (Cindy Hart, Brendan Meehan and Patrick Stevens (Charles Gregory) terms expired)

**Cindy Hart, Dennis Long III, and Robin Ham Elected. (No other nominations)**

**ARTICLE 8:** To choose three (3) members of the Warrant and Finance Committee for a two year term, and one (1) alternate member for a two year term. (Rollin Waterhouse, Robert Gore and Lois Michaud's terms are expiring. (Michaud was previously an alternate but moved to a regular seat when William Williams resigned). (Susan Meehan, whose alternate term is expiring, was appointed as an alternate member when Lois Michaud move up)

**Robert Gore, Rollin Waterhouse and David Winchell Sr. Elected as Regular Members for 2 years each. (No other nominations)**

**Tucker Pearson Elected as an Alternate Member for a 2 year term. (No other nominations)**

**ARTICLE 9:** To choose two (2) members of the Conservation and Forest Committee for a three year term. (Hannah Philips and Mark Hurd's term expires)

**Carl Davis was Elected; Second Seat Left Vacant. (No other nominations)**

**ARTICLE 10:** To see if the Town will vote to make the following changes to the Town of Acton Zoning Ordinance relative to Timber Harvesting activities:

~~Shaded Strike through~~ indicates wording removed

Underline indicates wording added

Asterisks ( \* \* \* \* ) indicates wording before or after

**ARTICLE 2 – ESTABLISHMENT OF DISTRICTS**

\* \* \* \* \*

**2.7 Land Use Chart**

**ANY USE NOT LISTED HEREIN IS PROHIBITED**

- C** = Conditional Use Review
- LPI** = Licensed Plumbing Inspector
- N** = Not Permitted (use not allowed)
- P** = Permitted (use allowed without a permit, must comply with all applicable land use standards)
- R** = CEO Review (use must be reviewed by CEO and a permit may be required)
- S** = Site Plan Review
- SD** = Subdivision Review
- NA** = Not applicable

\* \* \* \* \*

	Village Area	Transition Area (2-acre)	Rural Area (2-acre)	Critical Rural Area (5-acre)	Commercial A	Commercial B	Commercial C	Mixed Use	Resource Protection	Shoreland	Little Ossipee	Aquifer Protection District
<del>Timber Harvesting for Commercial</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>

\* \* \* \* \*

<del>Land management roads</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>C</del>	<del>P</del>	<del>C</del>	<del>P</del>
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**ARTICLE 3 – CONSTRUCTION OF LANGUAGE AND DEFINITIONS –**

\* \* \* \* \*

**3.2 Definitions** – In this Ordinance, the following terms shall have the following meanings unless a contrary meaning is required by the content or is specifically prescribed.

\* \* \* \* \*

**Bureau** — State of Maine Department of Conservation's Bureau of Forestry

\* \* \* \* \*

**Cross-sectional Area** — The cross-sectional area of a stream or tributary stream channel is determined by multiplying the stream or tributary stream channel width by the average stream or tributary stream channel depth. The stream or tributary stream channel width is the straight line distance from the normal high-water line on one side of the channel to the normal high-water line on the opposite side of the channel. The average stream or tributary stream channel depth is the average of the vertical distances from a straight line between the normal high-water lines of the stream or tributary stream channel to the bottom of the channel.

\* \* \* \* \*

**DBH** — The diameter of a standing tree measured 4.5 feet from ground level.

\* \* \* \* \*

**Disruption of Shoreline Integrity** — The alteration of the physical shape, properties, or condition of a shoreline at any location by timber harvesting and related activities. A shoreline where shoreline integrity has been disrupted is recognized by compacted, scarified, and/or rutted soil, an abnormal channel or shoreline cross-section, and in the case of flowing waters, a profile and character altered from natural conditions.

\* \* \* \* \*

**Forest Management Activities** — Timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest stands, and other similar or associated activities, exclusive of timber harvesting and the construction, creation, or maintenance of roads.

\* \* \* \* \*

**Forest Stand** — A contiguous group of trees sufficiently uniform in age class distribution, composition, and structure, and growing on a site of sufficiently uniform quality, to be a distinguishable unit.

\* \* \* \* \*

**Harvest Area** — The area where timber harvesting and related activities, including the cutting of trees, skidding, yarding, and associated road construction take place. The area affected by a harvest encompasses the area within the outer boundaries of these activities, excepting unharvested areas greater than ten (10) acres within the area affected by a harvest.

\* \* \* \* \*

**Land Management Road** — A route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing materials constructed for, or created by, the passage of motorized vehicles and used primarily for timber harvesting and related activities, including associated log yards, but not including skid trails or skid roads.

\* \* \* \* \*

**Licensed Forester** — A forester licensed under 32 M.R.S.A. Chapter 76.

\* \* \* \* \*

**Residual Basal Area** — The average of the basal area of trees remaining on a harvested site.

**Residual Stand** — A stand of trees remaining in the forest following timber harvesting and related activities

\* \* \* \* \*

**Skid Road or Skid Trail** — A route repeatedly used by forwarding machinery or animal to haul or drag forest products from the stump to the yard or landing, the construction of which requires minimal excavation.

**Slash** — The residue, e.g., treetops and branches, left on the ground after a timber harvest.

\* \* \* \* \*

**Timber Harvesting and Related Activities** — Timber harvesting, the construction and maintenance of roads used primarily for timber harvesting, and other activities conducted to facilitate timber harvesting.

\* \* \* \* \*

**Windfirm** — The ability of a forest stand to withstand strong winds and resist windthrow, wind rocking, and major breakage.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 11:** To see if the Town will authorize the Board of Selectmen to appropriate and expend monies from the undesignated fund balance for the purchase of equipment or to use as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2019-2020. (Maximum expenditure of \$15,000.00).

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will authorize the Board of Selectmen to appropriate and expend monies from the undesignated fund balance for the purchase of equipment or to use as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2019-2020. Expenditures in excess of \$500 shall require advice and recommendation of the Warrant and Finance Committee. (Maximum expenditure of \$15,000.00). 6/0

**Rollin Waterhouse made a motion to adopt the article as recommended by the Warrant and Finance Committee and to authorize the Board of Selectmen to appropriate and expend monies from the undesignated fund balance for the purchase of equipment or to use as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2019-2020. Expenditures in excess of \$500 shall require advice and recommendation of the Warrant and Finance Committee. (Maximum expenditure of \$15,000.00); seconded by Dennis Long. Motion carried.**

**ARTICLE 12:** To see if the Town will vote to authorize the Board of Selectmen to dispose of surplus town-owned equipment having a value of less than or equal to \$500.00, on such terms and conditions as

they deem advisable and to execute any necessary documents to accomplish said purpose. (All equipment having a value of more than \$500.00 shall be put out to public bid). Funds received from such sales shall be placed in a Capital Reserve account for the associated department.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to authorize the Board of Selectmen to dispose of surplus town-owned equipment, with the exception of road equipment, having a value of less than or equal to \$500.00, on such terms and conditions as they deem advisable and to execute any necessary documents to accomplish said purpose. (All equipment having a value of more than \$500.00 shall be put out to public bid). Funds received from such sales shall be placed in a Capital Reserve account for the associated department. 6-0

**Rollin Waterhouse made a motion to adopt the article as recommended by the Warrant and Finance Committee and authorize the Board of Selectmen to dispose of surplus town-owned equipment, with the exception of road equipment, having a value of less than or equal to \$500.00, on such terms and conditions as they deem advisable and to execute any necessary documents to accomplish said purpose. (All equipment having a value of more than \$500.00 shall be put out to public bid). Funds received from such sales shall be placed in a Capital Reserve account for the associated department. 6-0; seconded by Dennis Long. Motion carried.**

**ARTICLE 13:** To see if the Town will authorize the Board of Selectmen to sell any tax-acquired property and to issue a quit claim deed for the same. Sale to be by sealed bids or public auction if to other than the owner of record at the time of foreclosure, and no Selectman during the term of his or her office may acquire from the Town any interest in real estate acquired by the Town on account of nonpayment of taxes unless the owner of record at the time of foreclosure was the Selectman or the son, daughter, spouse, or parent of the Selectman. *Except that the Municipal Officers shall use the special sale process required by 36 M.R.S §943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s).*

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 14:** To see if the Town will vote to put the funds received from the sale of the tax acquired property during the year 2019/2020 into the Municipal Undesignated Fund.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 15:** To see if the Town will vote to authorize the Board of Selectmen, upon request of the Treasurer, to allow the Treasurer to waive foreclosure of a tax lien on a specified property for a specified year with reference to the Tax Lien Certificate recorded in the York County Registry of Deeds, in circumstances where the Board of Selectmen determine that foreclosure may encumber the Town.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written 6/0

**Dennis Long made a motion to adopt the article as recommended by the Warrant and Finance Committee; seconded by Elise Miller. Motion carried.**

**ARTICLE 16:** To see if the Town will vote to have Real Estate and Personal Property taxes first payment come due on October 15, 2019 and the second payment on April 15, 2020.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written 6/0

**Dennis Long made a motion to adopt the article as recommended by the Warrant and Finance Committee; seconded by Elise Miller. Motion carried.**

**ARTICLE 17:** To see what interest the Town will vote to charge on all taxes after October 15, 2019 and April 15, 2020. Maximum rate of interest allowed is 9 % per annum.

**Board of Selectmen Recommends:** Approve an interest rate of 9%. 3/0

**Warrant and Finance Committee Recommends:** Approve an interest rate of 9%. 6/0

**Dennis Long made a motion to adopt the article as recommended by the Warrant and Finance Committee and approve 9% interest; seconded by Elise Miller. Motion carried.**

**ARTICLE 18:** To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 5%, pursuant to 36 M.R.S.A. 506-A.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Dennis Long made a motion to adopt the article as recommended by the Warrant and Finance Committee and set the rate at 5%; seconded by Elise Miller. Motion carried.**

**ARTICLE 19:** To see if the Town will vote to authorize the Tax Collector to accept the pre-payment of taxes before the tax commitment with no interest.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 20:** To see if the Town will vote to authorize the Board of Selectmen to make application for and execute any documents related to any grant or donation, to accept any such grants or donations or any fees and appropriate such funds for their designated use so long as they do not require matching funds or encumber the Town in any way. The Treasurer shall be notified of any grant applications and a copy shall be kept on file in the Treasurer's Office.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 21:** To see if the Town will vote to appropriate all the funds received from the State from snowmobile registration revenue to local Snowmobile Clubs for maintaining their snowmobile trails, on condition that those trails are to be open to the public for outdoor recreation purposes at no charge.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 22:** To see if the Town will vote to accept revenues received from MEMA/FEMA claims during the upcoming Fiscal Year into the Emergency Disaster Reserve Fund. Said funds are to be appropriated at the discretion of the Board of Selectmen to restore budgets of the various departments for expenses incurred during a declared event. The appropriation shall not exceed the expenditures incurred during the declared event.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 23:** To see if the Town will vote to allow the Board of Selectmen to negotiate and enter into an agreement with the York County Sheriff's Department to renew the Contract Deputy Services in the Town of Acton in conjunction with the Town of Shapleigh for a period of up to 4 years. The current contract is expiring December 31, 2019. Annual renewal is subject to approval of budget at the annual town meeting.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 24:** To see if the Town will vote to appropriate from the Undesignated Fund **\$89,150.95** to ratify the **overdraft** to the following winter road maintenance accounts:

105-10 District One Winter Maintenance	\$28,577.70
105-20 District Two Winter Maintenance	\$35,326.96
105-30 Sand/Stockpile	\$25,246.29

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0



**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 25:** To see if the Town will vote to raise and appropriate **\$993,700** for **GENERAL GOVERNMENT** for wages, operational costs, and employee benefits for the following departments: (Dept 102)

Acct	Description	<i>Estimated need</i>
102-01	Governing Body/Selectmen	\$ 30,271
102-02	Town Gym	\$ 4,600
102-03	Office Assistants	\$ 66,038
102-05	Municipal Management	\$ 519,988
102-07	Elections	\$ 6,883
102-08	Registrar of Voters	\$ 4,570
102-11	Finance/Treasury	\$ 51,963
102-12	Town Administrator/TC/TC	\$ 89,293
102-13	Assessment	\$ 44,400
102-15	Land Use	\$ 175,694

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to raise **\$989,100** and appropriate **\$993,700** for **GENERAL GOVERNMENT** for wages, operational costs, and employee benefits for the following departments: (Dept 102). 6/0

Acct	Description	<i>Estimated need</i>
102-01	Governing Body/Selectmen	\$ 30,271
102-02	Town Gym	\$ 0.00
102-03	Office Assistants	\$ 66,038
102-05	Municipal Management	\$ 519,988
102-07	Elections	\$ 6,883
102-08	Registrar of Voters	\$ 4,570
102-11	Finance/Treasury	\$ 51,963
102-12	Town Administrator/TC/TC	\$ 89,293
102-13	Assessment	\$ 44,400
102-15	Land Use	\$ 175,694

**Rollin Waterhouse made a motion to adopt the article as recommended by the Warrant and Finance Committee and vote to raise \$989,100 and appropriate \$993,700 for GENERAL GOVERNMENT for wages, operational costs, and employee benefits for the following departments: (Dept 102). 6/0**

Acct	Description	<i>Estimated need</i>
<b>102-01</b>	<b>Governing Body/Selectmen</b>	<b>\$ 30,271</b>
<b>102-02</b>	<b>Town Gym</b>	<b>\$ 0.00</b>
<b>102-03</b>	<b>Office Assistants</b>	<b>\$ 66,038</b>
<b>102-05</b>	<b>Municipal Management</b>	<b>\$ 519,988</b>
<b>102-07</b>	<b>Elections</b>	<b>\$ 6,883</b>
<b>102-08</b>	<b>Registrar of Voters</b>	<b>\$ 4,570</b>
<b>102-11</b>	<b>Finance/Treasury</b>	<b>\$ 51,963</b>

102-12	Town Administrator/TC/TC	\$ 89,293
102-13	Assessment	\$ 44,400
102-15	Land Use	\$ 175,694

**seconded by Dennis Long. Motion carried, article adopted as recommended by the Warrant and Finance Committee.**

**ARTICLE 26:** To see if the Town will vote to raise and appropriate **\$4,259 FOR HEALTH & WELFARE**, this includes \$259 for Health Officer Stipend cost and \$4,000 for General Assistance. (Dept 103)

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 27:** To see if the Town will vote to raise and appropriate **\$630,696** for wages and operation expenses of the **FIRE-RESCUE DEPARTMENT**.(Dept 104-03)

Wages, Taxes, Benefits	\$506,416
Operational Expenses	\$124,280

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 4/2

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 28:** To see if the Town will vote to change the name of the Fire-Rescue Department Capital Improvement Fund to the **Fire Department Capital Vehicle Fund**, and to raise and appropriate **\$15,000** to the fund for the future purchase of a new fire truck. (Dept 104-03)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to change the name of the Fire-Rescue Department Capital Improvement Fund to the **Fire Department Capital Vehicle Fund**, and to raise and appropriate **\$0.00** to the fund for the future purchase of a new fire truck. (Dept 104-03) 6/0

**Elise Miller made a motion to adopt the article as written; seconded by Richard Smith. Motion carried.**

**ARTICLE 29:** To see if the Town will vote to raise and appropriate **\$ 50,224** for the purchase of **8 new sets of SCBA** for the **Fire-Rescue Department**. (Dept 104-03)

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long.**

**Motion carried.**

**ARTICLE 30:** To see if the Town will vote to raise and appropriate \$ 10,000 for the purchase of new fire hose and appliances for the Fire-Rescue Department. (Dept 104-03)

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to raise and appropriate \$5,000 for the purchase of new fire hose and appliances for the Fire-Rescue Department. (Dept 104-03) 6/0

**Elise Miller made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 31:** To see if the Town will vote to raise and appropriate \$52,105 for PUBLIC SAFETY to be expended as follows:

<u>Account</u>	<u>Department</u>	
104-07	Street Lights	\$ 1,800
104-09	Animal Control	\$ 16,362
104-30	Communications	\$ 32,005
104-40	EMA Director	\$ 1,938
<b>TOTALS:</b>		<b>\$ 52,105</b>

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 32:** To see if the Town will vote to pay wages and equipment for repair and maintenance of public ways according to the following schedule:

**Wages**

Road Commissioners	\$30.00 per hour
Laborer,	<u>\$12</u> -\$18 per hour
Operators, CDL Drivers	\$18-\$22 per hour

Wages to be paid at the rate of 1.5x (time and a half) on holidays, approved in the Town of Acton's personnel policy, when plowing and sanding.

**General Equipment**

Backhoe 2WD	\$44.80 per hour
Backhoe 4WD	\$54.80 per hour
Loaders (base rate for 1 yd loader)	\$37.40 per hour
Loaders over 1 yd capacity add	\$22.15 per yard/hour
Loader at stockpile	\$ 2.50 per yard
Grader GVW 21,000	\$75.00 per hour
Chainsaw & hand held power tools	\$ 6.98 per hour

Mowing Tractor/sickle bar/rake	\$40.00 per hour
Trucks 1-2 cubic yds	\$34.00 per hour
Trucks 3-4 cubic yds	\$39.00 per hour
Trucks 5-7 cubic yds	\$44.00 per hour
Trucks 12 cubic yds	\$54.00 per hour
Tri Axle/10 Wheeler	\$64.00 per hour
Patrol Trucks	\$27.85 per hour
Excavators up to 20,000 lbs	\$67.65 per hour
Excavators over 20,000 lbs	\$77.65 per hour
Excavators over 40,000 lbs	\$97.65 per hour
Multi-use Tractors	\$51.65 per hour
Equipment Attachments	\$10.00 per attachment

**Winter Road Maintenance Equipment**

2WD 26,000 GVW +	\$55.22 per hour
4WD 26,000 lbs GVW and over 10 Wheeler	<u>\$67.65</u> per hour
4WD 1 Ton up to 12,499 GVW	\$64.00 per hour
4WD 1 Ton between 12,500-25,999 GVW	\$43.37 per hour
¾ Ton Truck	\$48.37 per hour
Trucks with wing add	\$38.60 per hour
Contractor owned sander 2.5yd	\$ 5.00 per hour
Contractor owned sander 6-12yds	\$ 5.00 per hour
Sand Screen	\$10.00 per hour
	\$43.05 per hour

Town to furnish cutting edges, bolts and brushes for mechanical sweepers and cut off wheels for equipment used exclusively for maintaining Town of Acton roads.

**Cost of Operations:** The above rates are based on fuel prices up to and including \$4.30 per gallon. The Town of Acton will pay an additional \$1.00/hr for each \$0.25 increase per gallon for equipment utilizing diesel fuel. This will be based on the fuel price at Boonies in Shapleigh on each Sunday. Such price will determine the fuel allowance for the following week’s warrant.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Recommends:** To approve the article as written, with the exception of General Equipment and Winter Road Maintenance Equipment, which will be paid at State of Maine rates plus 15%. 6/0

**Elise Miller made a motion to adopt the article as written; seconded by William Langley. Motion carried.**

**ARTICLE 33:** To see if the Town will vote to raise **\$263,506** and appropriate **\$288,728** with \$25,222 to be appropriated from the State LRAP funds received for Surfacing/Reconstruction for **District One Roads**. Said funds to be disbursed after a project list, including line item budgeting, has been presented to the Board of Selectmen, to be expended as follows:

105-10	District 1 Winter Maintenance	\$ 96,811
105-12	District 1 Summer Maintenance	\$ 92,917
105-14	District 1 Road Surfacing/Reconstruction	\$ 99,000

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 34:** To see if the Town will vote to raise **\$268,506** and appropriate **\$293,728** with \$25,222 to be appropriated from the State LRAP funds received for Surfacing/Reconstruction for **District Two Roads**. Said funds to be disbursed after a project list, including line item budgeting, has been presented to the Board of Selectmen, to be expended as follows:

105-20	District 2 Winter Maintenance	\$ 96,811
105-22	District 2 Summer Maintenance	\$ 92,917
105-24	District 2 Road Surfacing/Reconstruction	\$ 99,000
105-26	District 2 - Flat Ground road grading	\$ 5,000

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 35:** To see if the Town will vote to raise and appropriate **\$184,063** for **Shared Road** accounts to be expended as follows:

105-30	Stockpile-Sand/Salt	\$ 163,025
105-32	Public Works Building/Equipment	\$ 21,038

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 36:** To see if the Town will vote to raise and appropriate **\$10,000** for preliminary inspection and/or design of **three culverts** found on the following, **H Road, Goose Pond Road, and West Shore Drive**. (Dept 421)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by Dennis Long. Motion carried.**

**ARTICLE 37:** To see if the Town will vote to establish, pursuant to 30-A M.R.S. Section 5801(1), a **capital improvement reserve fund for the repair and/or replacement of bridges and culverts**, and to raise and appropriate the sum of **\$25,000** for same. (Dept 421)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 38:** To see if the Town will appropriate from FY20 Franchise Fee Revenues, the sum of **\$34,443** for wages and operational costs of the **ACTON PUBLIC ACCESS TV**(also known as APAT). (Dept 111)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 39:** To see if the Town will vote to raise and appropriate **\$291,620** for the operation of the **TRANSFER STATION**. (Dept 105-40)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 40:** To see if the Town will vote to raise **\$21,449** and appropriate up to **\$25,449** for operation of the **RECREATION DEPARTMENT**. \$4,000 to come from anticipated revenues earned. Any unused funds to lapse to the Recreation Capital Improvement Fund. (Dept 113)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 41:** To see if the Town will vote to appropriate from the Recreation Capital Improvement fund, up to **\$7,000** for purchase and installation of a **well and pump at the Recreation Field on Route 109**. (Dept 113)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 42:** To see if the Town will vote to appropriate any Recreation Fundraising revenues that exceed the budgeted amount, to be utilized by the **Recreation Department** during the FY19/20 fiscal year. (Dept 113)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 43:** To see if the Town will vote to raise and appropriate \$250 for CONSERVATION AND FORESTRY COMMITTEE. (Dept 106-01)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 44:** To see if the Town will vote to raise and appropriate up to \$312,322 for COUNTY TAX. (Dept 108-51)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 45:** To see if the Town will vote to raise and appropriate \$1,077 for PLANNING & DEVELOPMENT to be expended as Forester's Stipend. (Dept 107-05)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 46:** To see if the Town will vote to raise and appropriate \$3,250 for the CEMETERY COMMITTEE for maintenance, placement of flags, markers, and repair of Veteran's graves. (Dept 109-01)

**Board of Selectmen Recommends:** Approve the article as written 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/0/1

**Dennis Long made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 47:** To see if the Town will vote to raise and appropriate \$1,600 for donation to York County Community Action as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Elise Miller made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 48:** To see if the Town will vote to raise and appropriate **\$1,000** for donation to **Maine Health Visiting Nurses** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to raise and appropriate **\$0.00** for donation to **Maine Health Visiting Nurses** as requested by the Agency. 5/1

**Rollin Waterhouse made a motion to adopt the article as recommended by the Warrant and Finance and appropriate \$0.00; seconded by Josiah Rojas. Motion carried.**

**ARTICLE 49:** To see if the Town will vote to raise and appropriate **\$1,600** for donation **Southern Maine Agency on Aging** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 50:** To see if the Town will vote to raise and appropriate **\$500** for donation to the **Trafton Center**.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 4/2

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 51:** To see if the Town will vote to raise and appropriate **\$1,000** for donation to the **American Red Cross** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** To approve the article as amended: To see if the Town will vote to raise and appropriate **\$500** for donation to the **American Red Cross** as requested by the Agency. 5/1

**Rollin Waterhouse made a motion to adopt the article as recommended by the Warrant and Finance and appropriate \$500.00; seconded by William Lotz. Motion carried.**

**ARTICLE 52:** To see if the Town will vote to raise and appropriate **\$400** for donation to **Child Abuse Protection Council, Kids Free to Grow program** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz.**



**Motion carried.**

**ARTICLE 53:** To see if the Town will vote to raise and appropriate **\$500** for donation to **York County Shelter Program** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 54:** To see if the Town will vote to raise and appropriate **\$610** for donation to the **Lifelight Foundation** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to raise and appropriate **\$0** for donation to the **Lifelight Foundation** as requested by the Agency. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 55:** To see if the Town will vote to raise and appropriate **\$22,742** for donation to the **Acton Public Library** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 2/0/1

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 56:** To see if the Town will vote to raise and appropriate **\$22,000** for donation to **Acton Shapleigh Youth Conservation Corp** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 57:** To see if the Town will vote to raise and appropriate **\$10,000** for donation to **Acton Wakefield Watershed Alliance** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 58:** To see if the Town will vote to raise and appropriate **\$1,000** for donation to the **Cornerstone VNA**. (*Agency full request was \$1,958*)

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as amended: To see if the Town will vote to raise and appropriate **\$0** for donation to the **Cornerstone VNA**. (*Agency full request was \$1,958*) 5/1

**Elise Miller made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 59:** To see if the Town will vote to raise and appropriate **\$300** for donation to **Saco River Corridor Commission** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 60:** To see if the Town will vote to raise and appropriate **\$734** for donation to **Caring Unlimited** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 61:** To see if the Town will vote to raise and appropriate **\$1,000** for donation to **Maine Behavioral Health** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 3/3

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 62:** To see if the Town will vote to raise and appropriate **\$500** for donation to **Sexual Assault Response Agency** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 63:** To see if the Town will vote to raise and appropriate **\$2,000** for donation to the **Acton-Shapleigh Historical Society** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** To approve the article as amended: To see if the Town will vote to raise and appropriate \$1,000 for donation to the **Acton-Shapleigh Historical Society** as requested by the Agency. 4/1/1

**Rollin Waterhouse made a motion to adopt the article as recommended by the Warrant and Finance and appropriate \$1000.00; seconded by Dennis Long. Motion carried.**

**ARTICLE 64:** To see if the Town will vote to raise and appropriate \$1,000 for donation to **Southern Maine Veteran's Cemetery Memorial Association** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 65:** To see if the Town will vote to raise and appropriate \$2,000 for donation to the **Great East Lake Improvement Association** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 66:** To see if the Town will vote to raise and appropriate \$2,500 for donation to the **Acton Ecumenical Food Pantry** as requested by the Agency.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 67:** To see if the Town will vote to raise and appropriate \$5,000 for donation to **Balch Lake Improvement Association**. *(Agency requested \$5,500)* 4/1

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** To approve the article as amended: To see if the Town will vote to raise and appropriate \$0 for donation to **Balch Lake Improvement Association**. *(Agency requested \$5,500)* 4/1

**Chuck Gregory made a motion to adopt the article as written; seconded by William Lotz. Normand Lambert made a motion to reduce the amount to \$2000; seconded by William Gannon. Amended motion carried for \$2000 appropriation.**

**ARTICLE 68:** To see if the Town will vote to appropriate up to **\$25,000** from the Capital Improvement Fund for **renovation of the kitchen in the Town Hall.** (Dept 117)

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Ought not to pass. 3/3

**Rollin Waterhouse made a motion to appropriate \$0.00; seconded by Nancy Ruma. Motion carried for \$0.00.**

**ARTICLE 69:** To see if the Town will vote to raise and appropriate **\$18,265**, appropriate **\$25,000** from the **Dam Capital Reserve Fund** and appropriate **\$40,000** from the **Undesignated Fund**; for total appropriation of **\$83,265** for **DAMS** : (Dept 109-50)

Mousam Watershed Dam Coalition Annual Maintenance	\$ 7,715
MWDC Capital Dam Project	\$ 75,000
Balch Lake Dam Operator Stipend	\$ 550

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 70:** To see if the Town will vote to carry forward the following fund balances and allow the balance carried forward to be appropriated to the designated department(s) for the ensuing year:

- Cemetery Committee Funds
- Dist. 1 & Dist. 2 Road Surfacing and Reconstruction Funds
- Dist. 1 & Dist. 2 Summer Maintenance Funds
- FEMA- Emergency Disaster Reserve Fund
- Forestry and Conservation Committee Funds
- Forestry Reserve Funds
- LRAP Fund (State Local Road Assistance Program funds are restricted State funds)*

and to carry forward but **not** appropriate (unless previously appropriated in other articles) the following fund balances:

- Ambulance Reserve Fund
- Capital Improvement Fund
- Dams Capital Improvement Fund
- Fire Dept Capital ~~Improvement~~ Vehicle Fund
- Recreation Capital Improvement Fund

All other unexpended fund balances and revenues to lapse into the undesignated fund. *Lapsed school balances to be designated for school funding only.*

*For Informational Purposes Only: The following funds will automatically carry forward and be expensed as necessary: Neighbors Helping Neighbors Fund, Mary Grant Fund, Fuel Assistance Donation Fund, Fire Department Grants-Donations-Scholarships Fund, Gym Donations Fund, Thermal Imaging Donation Fund, Statutory Private Road Association Reserve, Statutory Bridge/Culvert Capital Improvement Reserve (if approved)*

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 4/2

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 71:** To see if the Town will vote to accept any and all funds received from the State of Maine and the Federal Government and appropriate any designated revenues received to their designated use.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 72:** To see if the Town of Acton will authorize the transfer of excess funds from the School's Undesignated Fund Balance to offset taxes, contingent on the Acton School Department Fund Balance Policy and there being a surplus at the end of the Fiscal Year.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 73:** To see if the Town will vote to appropriate up to **\$769,907** from Fiscal Year 2019-2020 anticipated Municipal Revenues to reduce the amount to be raised by taxation during the tax commitment.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 74:** To see if the Town of Acton will authorize the use of funds from the Municipal Undesignated Fund Balance to offset taxes, contingent on the Acton Municipal Fund Balance Policy and there being a surplus at the end of the Fiscal Year.

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 6/0

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 75:** Shall this municipality authorize the State to issue licenses for the sale of liquor to be consumed on the premises of licensed establishments on Sundays? (Petition Article)

**Board of Selectmen Recommends:** Approve the article as written. 3/0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/1

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 76:** To see if the Town will make the following changes to the Road Ordinance?

**TOWN OF ACTON ROAD ORDINANCE**

Adopted at Town Meeting, June 13, 2003

Amended June 12, 2007

Proposed Amendments for June 22, 2019 Annual Town Meeting are **HIGHLIGHTED**

**Title:**

This Ordinance shall be known and cited as the Road Ordinance of the Town of Acton, Maine, and hereafter will be referred to as "this ordinance".

**A. Authority**

This Ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2 Section 1 of the Maine Constitution and the provisions of Title 30-A, MRSA Section 3001 (Home Rule).

**B. Purposes**

**C. Conflicts with Other Ordinances**

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall control.

**D. Validity and Severability**

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

**E. Effective Date June 22, 2019**

**F. Definitions:**

***Town Way:***

- 1) An area or strip of land designated and held by a municipality for the passage and use of the general public by motor vehicle.
- 2) All town or county ways not discontinued or abandoned before July 19, 1976
- 3) All state and highways, or both, which shall be classified town ways as of July 1, 1982, or thereafter, pursuant to 23 M.R.S.A. 53.

***Public Easement:***

- 1) An easement held by a municipality for purposes of public access to land or water not otherwise connected to a public way, and includes all rights enjoyed by the public with respect to private ways created by statute prior to July 29, 1976.

***Fee Simple Interest:***

- 1) An absolute and unqualified interest in the land at common law, with an interest that extends infinitely both above and below the surface of the earth, and includes mineral rights. The owner of a fee simple interest can use the land for any lawful purpose.

***Easement Interest:***

- 1) An interest that allows the public to travel over land owned by someone other than the municipality and allows the municipality to maintain the way.

***Hammerhead Turnaround:***

- 1) A "T" terminus to the road with a minimum extension to one side of 25' and a minimum total length of extensions to both sides of 100'.

**G. Road Standards and Classifications:**

**1) Class A Roads:**

All roads, whether public or private, constructed in the Town of Acton after the effective date of this ordinance shall be defined and constructed in compliance with current Town of Acton Subdivision Regulation Road Standards. Class A Roads shall be deemed to meet standards necessary for consideration by the Town Meeting for acceptance as a Town Way upon meeting the standards defined in the current Town of Acton Subdivision Regulations.:

- 2) **Class B Roads:** Private roads which are not subject to "General Provision" H(7) may be defined and reconstructed in compliance with the following standards for class B roads. Class B roads shall be deemed to meet standards necessary for consideration by the Town Meeting for acceptance as a Town Way.

A) Minimum of 34 ft. wide right-of-way fully described with bounds and measurements and with fee simple interest title conveyed to the Town of Acton in the 20 ft. wide traveled portion of the right-of-way and an unconditional easement to the Town of Acton to be used for all purposes associated with the construction, repair and maintenance of a Class B Town Way, as the same is defined or may be defined in this ordinance, said easement to extend 7ft.from each sideline of the 20ft. wide traveled portion of the right of way.

B) 20' wide gravel or paved top course with 7' minimum sides for shoulders and drainage.

C) 16" compacted gravel base.

D) 3" finish crushed gravel (3/4' to 1 1/2").

E) 100' hammerhead turnaround.

F) Maximum grade of 8% in any 100 ft.

G) 200' minimum tangent between curves on a reverse alignment.

H) 34 ft. right-of-way shall be clear of trees, stumps, boulders, fences and any other hindrance to plowing and maintenance.

I) Minimum culvert size of 12". The Code Enforcement Officer may require an alternate size culvert based on existing site conditions.

J) Maximum 60,000 lbs GVW shall be permitted except when posted.

K) Newly proposed roads that intersect with existing roads must intersect at a 90 degree angle.

**3. Class C Roads:**

Private roads which are not subject to "General Provision" H(7) may be defined and reconstructed in compliance with the following standards for Class C roads. Class C roads shall be deemed to meet standards necessary for consideration by the Town Meeting for acceptance of a Public Easement.

- A) Minimum of 20 ft. right-of-way shall be fully described with bounds and measurements.
- B) A public easement for turnarounds, as determined by the Road Committee and CEO must be provided.
- C) The Acton Road Commissioners may hold a public hearing and establish such other standards as deemed necessary and unique to the road.

H. General Provisions:

- 1) Existing Town Ways shall be deemed to meet the standards for class A roads.
- 2) Class A, B and C Roads:
  - A) Class A and B roads must discharge on to a Town Way or State Highway.
  - B) Class C roads are subject to H (2.a.) but may also discharge onto a Class C road.
  - C) Class C roads shall not be maintained for or deemed for passage by school buses.
- 3) Procedures for the Creation of Roads
  - A) The owner of land on which a road is to be created shall submit a petition to the Selectmen requesting the Annual Town Meeting to create a class A, B or C road. The petition shall be submitted at least three months prior to the annual Town Meeting. The petition shall include a plan, prepared by a registered land surveyor, describing the road . The petition shall be accompanied by a deed for the property described on the plan, conveying a fee simple interest for class A and B roads and a Public Easement interest for class C roads to the Town of Acton.
  - B) The Road Commissioner and an Engineer shall inspect the road to determine if the road meets the standards set forth in this ordinance and make an appropriate recommendation for action by the Town Meeting.
- 4) Maintenance of Roads
  - A) Town ways shall be provided winter and summer maintenance by the Town in accordance with the laws of the State of Maine.
  - B) Class C roads may receive summer maintenance funded by the Town. Funding for summer maintenance of Class C roads shall be established by the Town Meeting. The road commissioner shall determine the services provided to Class C roads.
  - C) Class C roads will receive no maintenance unless a waiver of all claims for damages by the Town within the right of way is received from all abutters to the road.
- 5) Road Commissioner Authority
  - A) The road commissioner shall have the authority to declare a snow removal emergency and:
    - I. Post roads to prohibit parking on Town Ways.
    - II. Order the removal of vehicle parked in Town Ways at the owner's expense.



- B) The road commissioner shall have the authority to require the installation of culverts when new curb cuts are being constructed, at the owner's expense.
  - C) The road commissioner shall have the authority to order the removal of fill, debris, or construction in a Town Way at the owner's expense.
  - D) The road commissioner shall have the authority to prohibit any construction, excavation, or activities in a Town way which may substantially damage Town Ways.
- 6) Notwithstanding any provision of this ordinance or the Acton Zoning Ordinance, the division of any lot to create Class B or Class C roads as described in this ordinance shall not alter any right of the lot owner provided in the Acton Zoning Ordinance, Article 1, Section 1.4 Non-Conforming Uses.
- 7) Any approved or unapproved Subdivision roads constructed after the adoption of the "Planning Board Standards for Reviewing Land Subdivisions" dated October 30,1972 must be brought to Class A standards to be eligible for consideration by the Town meeting for acceptance as a Town Way.

**Board of Selectmen Recommends:** Approve the article as written. 3-0

**Warrant and Finance Committee Recommends:** Approve the article as written. 3/2

**Rollin Waterhouse made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

**ARTICLE 77:** (THIS ARTICLE IS ONLY TO BE VOTED ON IF ARTICLE 76 PASSES; IF ARTICLE 76 FAILS, THIS ARTICLE IS TABLED INDEFINETLY)

To see if the Town will vote to accept 7th Street as a Class B Road? (Petition Article)

**Board of Selectmen Recommends:** Approve the article as written. 3-0

**Warrant and Finance Committee Recommends:** Approve the article as written. 5/0

**Elise Miller made a motion to adopt the article as written; seconded by William Lotz. Motion carried.**

Signed this 4th day of June 2019.

ss/Edward Walsh  
 ss/ Kimberly Stacey-Horn  
 ss/Elise Miller

True Attested Copy

Jennifer Roux