

TOWN OF ACTON SELECT BOARD MEETING

January 11, 2023

6:00pm

1. **CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**
2. **WARRANTS/BILLS: Signed**
3. **APPROVAL OF AGENDA: Kimberly Stacey-Horn made a motion to approve the agenda. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.**
4. **MINUTES OF LAST MEETING: Kimberly Stacey-Horn made a motion to approve the minutes of the meeting of January 4, 2023. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.**
5. **TOWN ADMINISTRATOR WEEKLY UPDATE – TABLED**

Tom McGurty announced that the Transfer Station will be closed on Martin Luther King Day, January 16, 2023.

6. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES: None**
7. **LIAISON UPDATES - TABLED**

Tom - Warrant & Finance Committee, Transfer Station, Fire Department, Capital Improvement

Kim - Recreational Committee, School, APAT, Cemetery Committee

David - Roads & Road Committee, Code Enforcement and Land Use, Mary Grant Committee, Conservation / Forest Committee

8. **OLD BUSINESS**

A. **Land Use Fees**

Jason Sevigny made a presentation to increase the cost per thousand fee building for construction. He stated there was a flat rate application fee of \$25.00. The current building fee for residential is \$4 per thousand, and \$6 per thousand for commercial/ multi family. He was asking the Select Board to consider an increase of \$6 per thousand for residential and \$8 per thousand for commercial/ multi family. He also stated that he wanted to change the old fee schedule that had a nonrefundable fee of 25% of estimated total fee that is payable at time of application to receive the full amount when the permit is issued. The other fees are due at that point, based on the building's market value. Tom McGurty asked if the fees were in line with Shapleigh's fees. Jason replied that they were. Tom asked if Jason would contact other towns and complete a fee schedule, and wanted to know if Acton had fees that other towns do not, and do other fees need to be changed. Jason stated he would get that information for a subsequent meeting.

Kimberly Stacey-Horn made a motion to approve the three changes that are presented, strike off the \$25 fee up front, change \$4 to \$6 for residential, and change \$6 to \$8 for commercial and multifamily. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

Tom McGurty introduced Cheyenne Irby from Bureau Veritas. He represents one of the two firms that bid on the Facilities Assessment RFP. His firm has done work in Maine and New Hampshire, New England, and nationwide. This is an opportunity for everyone to hear what the project is about and this is something that the Town has never done.

Mr. Irby defined a Facility Condition Assessment as a technical engineering assessment to evaluate the needs of a building helping to plan capital expenses over the next 5-10-15 years, and provide the ability to create a plan.

Mr. Irby stated he was the Associate Vice President of Bureau Veritas and Kaustubh Chatutswar is the Project Manager who will be running this project. He works with Municipal Clients – States, cities, and schools. Cheyenne will be overseeing the general/executive contracting of the project. Veritas is a 200 year old company providing data information to provide information on what is going to happen with the building and infra structure division. The company helps institutional clients, school districts, universities, towns, states, and the Federal government, anyone that owns real estate, to help maintain facilities assessments. Any code deficiencies and any ADA issues will also be noted.

Mr. Irby stated that he is an architect and Mr. Chabukswar is an engineer. This is a big distinction from some other companies, because they are neither an engineering firm nor an architectural firm. They are a third party, non biased entity that represents the best interest of clients, so no follow up work would be done by the firm. This keeps the firm away from being involved in further work. The firm will look at:

- Facility Condition Assessment: Addresses deficiencies, deferred maintenance, short term/long range needs, inventory of assets with conditions to repair or replace
- Cost estimates including repair or replace options
- Planning: priority, capital planning forecast, facility condition index,(FCI), total replacement cost versus maintenance
- Asset Management is a data base delivery

The findings will be presented in a written report and an excel table that can be exported to a database. There will be an engineering level audit. The assessment will include all the buildings component parts. The report will be done to Unifomat standards. This program was invented by the core of Civil Engineers who organize building systems to the individual component level which provides a concrete replacement number. Regarding structural integrity associated with historical properties, everything is looked at from the foundation to the building structure to the building envelope and the overall integrity of the building. Veritas uses a separate historically approved costing database that accounts for those needs.

Tom McGurty stated this creates a long term capital budget for capital planning. Mr. Irby stated that this report could be used for justification for planning purposes. FCI comes into play to demonstrate that new is better than repair and maintenance if a building is not worth the investment.

A space utilization analysis can justify increasing the size of a space, based on use.

Will Langley asked how long does it take to do the assessment? Regularly during a work day 45-50000 square feet of space a day could be assessed. The whole town assessment could take 3 to 4 days for a non invasive physical assessment. A pre survey questionnaire would be completed by someone who has the most historical knowledge of the properties. This questionnaire helps steer the assessment. Time is spent talking with the maintenance personnel. It is helpful to have a copy of the newest building plans.

After the report is completed, the data base will be available. The firm is available for consult and recommendations. There is a non biased and non influencing relationship, with the report broken into all systems, including a summary of needs, every asset is noted. The cost of repair, replacement, and maintenance is overlaid with real time cost. This allows for an accurate capital plan, including cost and timeframe from year 1 to year 20.

B. **Budget Management Policy:** The Select Board drafted a policy regarding the management of Town funds and the operating budget and clarifies the role of the Select Board and Department heads with the Treasurer. The policy will be posted on the website and put on the agenda in February.

C. **Town Budget Timeline:** The Town Administrator asked the Select Board if the Saturday meeting regarding budgets could be cancelled due to redundancy. The budgets are due February 17, 2023, then are turned over to the Warrant and Finance Committee, the Select Board works on the draft warrant, meets with the Departments, and reviews the budgets. The Town Meeting will be June 19, 2023; the Election will be June 13, 2023. The Select Board was all in agreement with this timeline.

Regarding the Social Service donation requests, the Select Board requests guidelines to send donations for services available to the area. Tom McGurty questioned the Lake Association regarding just what services were provided to the Town of Acton. Dennis Long of the Warrant and Finance Committee stated that they have requested financial statements from agencies that provide services or work in the Town. The Warrant and Finance Committee wants to talk with the donation seekers.

Dennis Long extended a thank you to the Town Administrator and the Treasurer for the extra work that was done to provide the Warrant and Finance Committee with the paperwork they requested.

9. **NEW BUSINESS**

A. **Facility Assessment Presentation** - Bureau Veritas

B. **Resignation:** Bevin Corbin has resigned from the Planning Board. Tom McGurty stated that the Select Board appreciates his service to the Town.

Kimberly Stacey-Horn made a motion to accept the resignation of Bevin Corbin from the Planning Board. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

C. **Pole Permit:** A pole permit was submitted for a pole on Sanborn Road.

Kimberly Stacey-Horn made a motion to approve the application for pole #08.2 on Sanborn Road. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

D. **Supplement & Abatement:** A correction on a land deed.

Kimberly Stacey-Horn made a motion to approve the Abatement on Map 222-010-001, of an amount of \$36,000 on evaluations and \$432.20 in tax dollars. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

Kimberly Stacey-Horn made a motion to approve the Supplement on Map 227, lot 10-3 of \$555.68. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

E. **Town Investments:**

Tom McGurty made a presentation regarding cash reserves held at Partners Bank. The Town's investments are in the bank with a current rate of return of 0.3% interest. A short term Treasury Bill pays 4% at maturity, protected by FDIC. Tom investigated a move into a TD Bank portfolio which would be an opportunity for the Town to invest in short term Treasury Bills as laddered investments and roll over the funds. The Town would not sell the bonds, but intends to buy them and hold them to maturity with the US Government guaranteeing all money back and get the earnings of the portfolio of the US Treasury. The bill's maturities would be determined at a rate 4.3% at 60 day maturity. The Town needs to adopt an investment policy that would guarantee the preservation of the principle, and maximize the returns and invest in certain securities and the highest quality US Government securities. The Town checked with counsel and these are allowable investments. The maturity maximum amount would be no longer than two years, and probably only 60 to 90 days. Based on what rates are at present, the amount to invest needs to be determined. The Town holds 4.7 million in cash. Before investing, an investigation of

special warrants and capital acquisitions that are planned, must be conducted. Then, the amount that can be safely put out for 90 days maximum will be determined. TD Bank would construct a portfolio based on cash needs of the Town and keep the maturity short to avoid a forced sell of a security before it is due. If that happened, probably not much would be lost. If 4 million were invested at a rate of 4% return the result would be 160,000. The current investment of 4 million yields only 12,000. Treasury Bills would give a maximum return on the Town's investment.

David Winchell, Jr. stated that the Town has a large general fund. With the reevaluation there may be a tax rate adjustment. TD Bank would take care of the investment.

Tom replied that Partners Bank does not provide this service of a Private Wealth Division. TD Bank does this for other towns and cities. Cash reserves would be examined. The taxes may decrease, but the budget may increase. This investment would provide a decent return that would be available when needed to be utilized. The TD Bank program would cost 1 basis point for management.

Other banks with similar programs will be investigated. Tom McGurty would like to find a quality Maine Bank that would allow the funds to be accessed by the Treasurer and he will research and write an investment policy for approval.

F. Accounting Services:

Tom McGurty stated that during the RFP process last year, when looking for a new auditor, an accounting service came to light. This accounting service caters to Towns. It maintains the accounting records, prepares financial statements, keeps all notes so that they can be turned over to an external auditor, verify them and issue an audit opinion. This would enhance the oversight the Town would have over fiscal affairs. They would do all the bill paying, maintain the general ledger, do budgeting. They do this for a number of towns in Maine. The firm would manage the budget process, use their general ledger, work with the Select Board, Warrant and Finance Committee, Department Heads, and construct a budget and work through the budget process and consult regarding the reserve levels, cash balances, what is an appropriate level of reserves, what are best practices in other Towns and municipalities and support the long term capital planning, and prepare a capital budget for the Town. The firm would provide end of year projections.

There are limited firms in the State that provide auditing services. This service would be helpful for the Town, be another set of eyes for checks and balances, and provide advice.

The proposal from last year is the firm of Barry Talbot and Royer. Tom has asked the principal, Mark Roy, to come to the Select Board Meeting on February 1, 2023, and make a presentation on the firm's work. The Select Board assured that the Treasurer would remain as this is an auditor issue and not a Treasurer issue.

G. Appointments

Kimberly Stacey-Horn made a motion to approve the appointment of Gary Rideout to the Capital Improvement Committee from January 11, 2023 to June 30, 2024.. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

David Winchell, Jr asked that before any more appointments were made could there be an opportunity for all of the Select Board to meet the prospective candidates. The Select Board was in agreement.

Kimberly Stacey-Horn made a motion to approve the appointment under Title 30A MRSA 2602, Registrar of Voters, Jennifer Roux, from January 11, 2023 to December 30, 2024. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

10. PUBLIC COMMENT:

Dennis Long stated that he had been on the Zoning Board of Appeals for 7 years and had been on the Planning Board for 2 or 3 years and would like to volunteer to fill the vacant seat until June. He was submitting his name for the position.

David Winchell Jr. stated that he would not support Dennis Long for the Board. He appreciated Mr. Long wanting to help out on the Planning Board, but after the last Planning Board meeting, He had received several phone calls relating to Mr. Long's remarks about the Planning Board taking too long to get things done. The Board felt like they were being chastised for taking too long. David stated he would like to look for someone else to be on the Planning Board.

11. PENDING

A. **West Shore Drive Culvert:** David Winchell, Jr asked for an update from Maureen the engineer regarding the timeline of events.

Bridges: Milton Selectperson meeting regarding Rowe Bridge. The Report from the Bridge Ranger stated that the bridge required minor repairs. The question remains who is responsible for the repairs, 50/50 share?

B. **Civil Engineer R.F.P.:**01/18/2023: Posted to the website

C. **Website Bids** - In Review

Kimberly Stacey-Horn made a motion to adjourn the meeting. David Winchell Jr., seconded the motion. All in favor, motion carried 3-0.

12. ANNOUNCEMENTS

January 18, 2023 Select Board 6:00pm

January 19, 2023 Planning Board 6:00pm

January 21, 2023 Mary Grant 2:00pm

January 23, 2023 Capital Improvement Committee 5:00pm

January 23, 2023 Conservation / Forest Committee 6:30pm

January 25, 2023 Select Board 6:00pm

January 28, 2023 Recreation Committee 9:00am

13. MEMBERS PRESENT: Tom McGurty, Kimberly Stacey-Horn, and David Winchell Jr.

14. ATTENDANCE : Jason Sevigny, Dennis Long, Carol Cory, Will Langley, Adam Doliber, Robin Ham, Joe Ruma