

SELECTMEN'S MEETING

April 16, 2019

5:00pm

1. APPROVAL OF AGENDA:

Selectmen Elise Miller made a motion to approve the agenda; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor. Approved.

2. MINUTES OF LAST MEETING:

Tabled.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

Jonathan Bowtell, Recreational Committee updated the Board on the Recreational Committees meeting conversations regarding the Gym. The Committee is looking for more information from the insurance company on the requirements to be met. Until then, the Committee can not really make a decision and proceed. Once received, all details will be put forth to the Committee for review. Mr. Bowtell also told the Board that the Recreational Committee as a group went over and looked at the other building as a viable option, which it was not. The Committee will be looking at other options.

The Recreational Committee is looking to conduct a free event called "Acton Pride Fair". Events would include local vendor tables, craft sales, cake baking contest, tug of war contest, fireman muster, food and beverages, bounce houses and general carnival game stalls. The Board commented that they were pleased with the revitalization of the Recreational Committee and their involvement with the Community.

4. OLD BUSINESS:

A. EMA Director/E911 Operator Job Descriptions

The Town Administrator updated the Board that the Code Enforcement staff was back and a response will be determined by next Tuesday. If not available posting will be conducted. Selectmen Ed Walsh indicated he had a potential candidate interested in the EMA Director position. Mrs. Roux will check into whether candidate must reside in town.

B. Rowe Bridge

The Town Administrator reported that road barriers are in place. Town is waiting on quotes of work to be done. Maine Municipal and the Town has talked, waiting on determination of what work needs to be done. Leslie Berlan approached the Board reporting that Rowe Bridge since damaged is exhibiting water issues. The Road Commissioners need to be notified. Mrs. Berlan has a video and can forward to necessary parties. Step 1 is still to notify the Road Commissioner before the Board is required.

Mrs. Cindy Hart approached the Board that the Road Committee has pictures prior and after the accidents. The damage from the accidents was very little. Mrs. Hart indicated that the Bridge's condition and lack of posting makes the Town more liable if a lawsuit is pursued. Mrs. Hart further indicated that the Road Committee was available to assist in review of the bridge damages and what needs to be fixed as they (the Road Committee) are more familiar with the Bridge than the current Road Commissioner. Selectmen Miller indicated that the Engineer is most familiar and should be there with the Road Commissioner and not sure if Road Committee is needed. It would depend on the Engineer on whether the Road Committee is needed (and not everyone on the committee, perhaps only 2 members). But again, that should be determined by the Engineer.

Mr. Dave Langley approached the Board to assist in clearing up the Rowe Bridge matter. Mr. Joe Letourneau is appointed to the South End District, he, Mr. Langley is appointed to the North End District. When these roles were taken on, they were sworn in by the Town Administrator Jennifer Roux to do due diligence of their job following a statute of what the definition of what a Road Commissioner is in the State of Maine. So, if I, David Langley stand and raise my right hand and I am sworn in, that Road Commissioner job is now my job to be done. Now you, the Board, are telling Mrs. Hart that no, the Road Commissioner's need direction from the Selectmen. However, if you look at the definition of a Road Commissioner, he is responsible for the bridges, highways, roads, culverts and maintenance. Now, this brings us to the point where we are not always permitted to do our jobs. Let the Road Commissioner do their jobs. If the Road Committee has information that can assist in getting that job done let it happen.

The Town Administrator responded that is why the Road Committee was told the first step was to contact Mr. Letourneau. The Board is trying to allow the Road Commissioners time to do their jobs without interference from others.

Mr. Langley appreciated that, but just wanted to make sure every one knew that they as Road Commissioners had a definition to follow and a job to do.

HEB needs to look at the Bridge. The Board is not sure whether they will permit others during their review. The Town Administrator will reach out and find out their timing status and information.

C. 7th Street

The Town Administrator indicated that all are still waiting on the Engineer Report before further work can be done. Intention is still to have on June Warrant.

D. Draft Ordinances

Road Committee Ordinance was met upon by the Road Committee and the Road Committee doesn't agree at all with the Ordinance. They were not in agreement with the fact that they had to be told what to do if they were elected by the Town Floor and they should be able to do their duties according to Maine Municipal Association and consider them being quasi independent.

Selectmen Stacey-Horn commented, I thought we were asked from the Road Committee to get a job description together. Selectmen Miller responded, "I know. It's confusing." Either way, Selectmen Miller commented that the Board should have done a workshop with the Road Commissioners and the Road Committee. Selectmen Walsh responded that nothing was cast in stone and this was a first draft. A place to start. It's not going to get done sitting down with 15 people. Selectmen Miller, "If the Road Committee is requesting a workshop, then let's have a workshop." All Board agreed. They put a draft together and put it out there for review. Now is the time for their feedback. The Town Administrator reminded the Board that there was a public hearing scheduled for April 22nd regarding the vote on these ordinances. The Board's consensus was to receive feedback from the Road Committee in writing and to hear out what the public's opinion was through the hearing and then have a workshop.

Mrs. Leslie Berlan approached the Board to comment that this process of putting the Road Committee Ordinance into effect seemed rushed. Mrs. Berlan commented that the ordinance was sloppy. There is a lot of problems with the ordinance. There is a lot of things not clear. Examples:

- Are Road Commissioners voting members?
- Emails have to go to all Board members and the Town Administrator. Do all Committee have to follow this requirement?

Selectmen Walsh indicated that is why we are expecting the feedback. It is a draft.

Mrs. Berlan continued to go back and forth with the Board on her opinion. Mrs. Berlan pointed out problems as she sees it:

- A copy was provided in writing. The Board agreed it was given last night.
- Mrs. Berlan felt it was done in secret. The Board said there was no secrecy to it. Mrs. Berlan claimed it was not advertised on the website. The Town Administrator confirmed it was announced as a workshop.
- Mrs. Berlan said the ordinance doesn't give them any authority. The Board disagreed.
- Mrs. Berlan felt it did not show any appreciation for the hard work that they do. The Board disagreed and cited all the articles listed on the Warrant according to the Road Committee recommendations.
- Finally Mrs. Berlan did not see anything on the ordinance of let's work together. The Board stated this was not true. That they are trying to get things straightened out.

5. NEW BUSINESS:

A. Richard Neal

Mr. Neal thanked the Board for the opportunity to answer any questions related to his publishing a historical book on Acton Schools. Mr. Neal's main objective is to preserve the Lincoln School and all proceeds will go towards that effort. Mr. Neal was pleased to inform the Board that the school will be presenting a section on Acton history as part of their curriculum.

Mr. Neal was able to assemble a 145 years of Town reports. It was a good source for facts about the schools. The Acton/Shapleigh Historical Society has assisted in garnishing funds for this project. All together the Lincoln School will be preserved and not with tax payers monies. Mr. Neal is also looking into insurances and liabilities of protecting the building. Mr. Neal is looking to have a committee to put together a list of what needs to be done before opening to the public. Currently there is \$11,000 earmarked to preserve the school plus the book sales. Fundraisers are always welcomed.

The Board thinks it is a good idea. Mr. Neal reviewed the Historical Societies involvement. The Town Administrator is willing to advertise the prospect of getting a sub Board together to take over this endeavor.

The Town Administrator asked if the Town would be willing to turn the building over to the Historical Society. Mr. Neal's response was that is a much bigger project and can be looked into. Mr. Neal has copies of the book for sale if anyone is interested.

B. Tattle Street

The Town Administrator informed the Board that Tattle Street turned in their request for Article 43 funds. The information will be scanned and turned over to the Board and Road Committee. Tattle Street will attend next weeks meeting to present further information after the Board reviews.

C. Paving

Paving came up in Warrant & Finance. As of August 29, 2017, F.R.Carroll's bid was accepted by the Board through December 31, 2018. There is currently no bid awarded as of this month. The Board needs to go out to bid. The Town Administrator will draft and let both Road Commissioners look at it.

D. Stream Crossing Grant

Selectmen Miller reviewed grant information. It is something the Town should do. It is a matching program. Window for application is small so Selectmen Miller indicated we should apply for it and then seek support at Special Town Meeting. The Town Administrator reiterated that the Town Treasurer needs to be involved in any Town grant process.

Leslie Berlan approached the Board to respond that the Road Committee will be setting up workshops to gather all the information needed for applying and several grants should be applied for.

The Town Administrator took the initiative to respond to Mrs. Berlan to clear up her misconception of the Ordinances and the fact the Board is starting to gather information to make all parties clear of their duties. Mrs. Berlan said communication is key. They are an advisory Board. However, sometimes the Road commissioners even feel the Road Committee is overstepping their bounds. Mrs. Berlan duly noted.

6. PUBLIC COMMENT:

Joyce Bakshi presented the Board with the Citizen's Petition for issuing State Licenses for Liquor to be sold on Sundays.

Carol Komezbumwe approached the Board regarding a Volunteer Roadside Clean Up Project on April 27th for Earth Day. The Girl Scouts are unable to assist in the Roadside Clean up but will plant a tree in honor of Fallen Firefighters. That tree planting event will take place in June when the ground is softer.

Joyce Bakshi announced there will be a fundraiser for the Acton Odyssey of the Mind Team. It is a comedy night on Friday, May 10th, at 6:30 pm at the Elementary School, price is \$20 per ticket. Headliners will include: Rod Steen, Tom Hayes and 1 other. You can call Jen Gore for further information.

David Langley approached the Board asking when the Road Commissioners could meet with the Board to go over the ordinances. There are some language issues to be tightened up. The board will meet with the Road Commissioners and Road Committee at the same time.

David Langley also indicated that a draft bid for paving should be reviewed first to make sure language is correct in accordance to the work they do along with paving.

Leslie Berlan approached the Board to request that all 3 groups be brought together to review these ordinances and allow some healing to happen to eliminate infighting.

Rollin Waterhouse, Warrant & Finance Committee Chair approached the Board to recap their meeting and the fact that the Warrant & Finance Committee will not recommend approval of any Article that does not specify where the money is coming from and where the money is going to. The Committee wants to know complete details of every penny being spent and their account numbers. The Town Administrator explained Account numbers are in-house numbers for in-house use only.

Dennis Long approached the Board and recapped the Warrant & Finance Committees request for Account numbers and why they couldn't be put into the Warrant Article. He explained what the W&F Committee is looking for; they believe the Public should also know. The Town agrees that more known the better. However, things change and sometimes monies need to be shifted to other areas when things change. The Town Administrator will talk to the Treasurer to see what can be provided in regards to account detail/descriptions.

7. ANNOUNCEMENTS:

Earth Day Roadside Clean Up, April 27, 2019 at 9am, School

Comedy Show, May 10, 2019, 6:30pm

Library Water Talk, April 17, 2019 at 2pm

8. MEMBERS PRESENT:

Selectmen Ed Walsh, Selectmen Elise Miller, Selectmen Kimberly Stacey-Horn and Town Administrator Jennifer Roux

9. OTHERS PRESENT: