

**SELECTMEN'S MEETING**  
**April 19, 2016**  
**5:00pm**

**SALUTE TO THE FLAG**

1. **APPROVAL OF AGENDA:** Moved by Bill Shields, seconded by Ed Walsh, to accept the agenda as presented. The motion passed 2-0.
2. **APPROVAL OF MINUTES OF LAST MEETING:** Moved by Bill Shields, seconded by Ed Walsh, to approve the Minutes from the meeting of April 5, 2016 as written. The motion passed 2-0.
3. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**

A. **Planning Board:** Bob Smith stated that he was speaking to the Board of Selectmen as the Chairman of the Planning Board and not as an individual member. He reminded the Selectmen that the Planning Board conducted a Public Hearing to review the proposed Amendment change relative to Resource Protection District exceptions submitted by the Planning Board to be included on the Warrant at the Annual Town Meeting. Specifically the original article was to ask voters if they approve revoking section 4.2.2.6 (a) which conflicts with the DEP standards. Mr. Smith noted Planning Board members felt that voters at the Town Meeting in November conveyed the intention to return the sections of the Zoning Ordinance relative to Resource Protection Districts to the status of September 29, 2011; therefore it would be necessary to revoke both sections 4.2.2.6 (a) and (b). Based on that, the Planning Board voted 3 – 2 to request that the Selectmen include an additional article on the Warrant that would offer the opportunity for voters to also revoke section 4.2.2.6 (b).

Jennifer Roux reminded the Selectmen that they had expressed a deadline of January 30th to submit articles in the interest of allowing enough time to properly process requests.

Paul Poyant stated that it is very important to clear up all confusion associated with these articles once and for all. Larissa Crockett concurred.

Ed Walsh wondered if adding the second article to the Warrant would make it necessary to hold another Public Hearing as required by the Zoning Ordinance and if there is time to do so. Jennifer Roux will research the questions and consensus of the Board was that the subject be tabled to the next Selectmen's meeting for consideration. Mr. Walsh asked that the Budget and Finance Committee review the requests at their meeting on Monday, April 25th.

B. **Fire Dept Recognition:** Ed Walsh reported that the York County Firefighters' Association at their Annual Awards Meeting recognized Shane Engar, who is a per diem firefighter here in Acton as well as in Kennebunk. He was awarded the Heroism Award for his actions during a fire experienced in Kennebunk in which he entered a very hazardous situation and conducted a search and rescue operation. Mr. Walsh noted that

Shane works well with the Department and also that there are many people of this caliber working for Acton.

4. OLD BUSINESS:

A. Iron Tails Liquor License Decision: Peter Smith reported that the report from Eastern Fire Services has been received and he noted that next year being the fifth year, per NFPA requirements, it will be necessary to conduct a full test. Ed Walsh stated that the background check found no violations. Motion by Bill Shields, seconded by Ed Walsh, to approve the Liquor License for Iron Tails. The motion passed 2-0 and the license was signed.

B. Conservation/Forestry Committees: Ed Walsh read a response from the Town Attorney, Brad Morin, in response to the Board of Selectmen's request to review the legal issues involved in combining the Conservation and Forestry Committees, in which Attorney Morin writes:

"As requested, I looked into the issues surrounding combining the Conservation Committee and the Forestry Committee. In the effort to combine these roles, I recommend the following Warrant article:

To see if the Town of Acton will abolish the existing Conservation Committee and the Forestry Committee and combine the existing duties through the creation of a new Conservation and Forrester Committee which shall be comprised of seven (7) members initially elected at the June, 2016 Annual Town Meeting as follows: two members elected for a one-year term, two members elected for a two-year term, two members elected for a three-year term and at each subsequent election, officials to serve for a three-year term. The seventh member of the Committee shall be the Town Forester.

If we simply combine the duties of the prior committees, the Town will not need to alter the way they managed the Town forest or conservation issues in the past. Also by abolishing the former committees, and starting over with a new board, the Town can elect a new slate of members without having to figure out a method of merging the terms of previously elected and appointed members."

Jennifer Roux noted that because the article is being presented as a Warrant article at the Annual Town Meeting, it will not be necessary to conduct a Public Hearing. She also stated that the request was submitted prior to the Selectmen's deadline of January 30th.

Moved by Bill Shields, seconded by Ed Walsh, to include the article as written on the Warrant of the Annual Town Meeting. The motion passed 2-0.

Mrs. Roux mentioned that the ballots will have to be written to reflect the Committee member elections if the article passes and also reflect the election of members if the article fails.

C. Gym Door: Mrs. Roux reported that David Winchell picked up the new door. Consensus of the Board was to approve having the contractors working on the office renovations to also install the door.

D. MMA Action Plans: Ed Walsh stated that the Fire Chief is in the process of finding a contractor to do the stair landing as required by the review. This is the only item left on the list.

E. Abandoned Properties: Mrs. Roux reported that one of the properties has been sold, the Town's expenses have been reimbursed and the property cleaned up. A court date has been set for May 17th to hear the Town's stance on the second property.

F. Foreclosure Properties: Ed Walsh stated that he has contacted Southern Maine Communications to determine if one of the properties is suitable to situate a communications tower. David Winchell expressed the opinion that Hussey Hill would be a better location for the tower. Consensus of the Board was to refer this subject for consideration at a future meeting.

#### 5. NEW BUSINESS:

A. Old Sand/Salt Building: Mrs. Roux reported that MMA Insurance has inquired as to what the intended disposition of the old sand and salt building is. She thought money may have to be added to the Building Maintenance Account. David Winchell felt that there is enough money budgeted in the account to demolish the shell of the building and to dispose of the materials. He would like to retain the slab to store brush. He estimated that it would cost between \$8,000 and \$9,000 if it's done by town employees. Mrs. Roux reminded him that projects in excess of \$5,000 have to be offered for bid. The subject will be considered at a future meeting when more information is available.

B. Elections Training: Mrs. Roux reported that the state is eliminating the current AVS Voting System which serves voters who need to vote in an alternate manner and replacing it with an Ipad type reporting method with a value of about \$3,500. Coverage for the equipment has been added to the Town's insurance policy. Because this equipment would be leased, there is an agreement involved. The existing equipment will be stored on site until the State requests its return. Moved by Bill Shields, seconded by Ed Walsh, enter into the agreement for leasing the Accessible Voting System. The motion passed 2-0 and the agreement was signed.

Mrs. Roux also informed the Board that training for this new system is scheduled for April 26th therefore the be necessary to close the Town Clerk / Tax Collector's office. She expects to be back in the office by about 1:00 p.m.

C. School Budget: Mrs. Roux reported that the School Budget passed on April 5th. However, article two asking if the voters would approve to continue to vote on the School Budget as a referendum did not. Therefore, next year the School Budget will be voted on in one step.

D. Memo from Treasurer: Mrs. Roux distributed a memo from the Town Treasurer to Department Heads stating:

“To Department Heads: please let this memo serve as a reminder that all purchases that are paid from this fiscal year need to be made by May 30th. After that date, the Board of Selectmen has imposed a spending freeze on non-essential purchases. For essential purchases after May 31st, please obtain an invoice at the time of order for any purchases and submit by June 30th to the Treasurer’s Office to be paid in the 2016 budget year. For non-essential purchases made after May 31st, prior authorization in writing by a majority of the Board is required.”

Ed Walsh explained that this is something that is done every year in an effort to prevent submission of late invoices which keeps the Town’s accounting process efficient. Mrs. Roux stated that it also prevents draining accounts.

E. BCN Telecom: Mrs. Roux explained that the BCN Telephone contract is due for renewal. The carrier offered three contracts, a one-year, a two-year and a three-year. Though the Town in the past has entered into one-year contract. She stated that the rates are excellent but sometimes service is slow. The Town has used BCN for at least five year with no complaints. Moved by Bill Shields to enter into a one-year contract with BCN for telephone service. The motion, seconded by Ed Walsh, passed 2-0 and the agreement was signed.

F. Abatement: Ed Walsh read a Request for Abatement to be considered:

“To Cynthia Clancey, Trustee, the Town of Acton has received the 2015 assessed value of your Acton property. As a result of our review, we have granted an abatement on Acton Map 108, Lot 007. The reason for the abatement: land value was adjusted to reflect a portion sold to an abutter.”

The original valuation of \$377,950 was revised to \$296,584 for a difference in valuation of \$81,366 in valuation which leaves a tax abatement of \$939.78. The assessed value of the structure remained the same. Motion by Bill Shields, seconded by Ed Walsh, to approve the tax abatement in the amount of \$939.78 for Cynthia Clancey. The motion passed 2-0 and the abatement was signed by both Selectmen

G. Vacation Request: Mrs. Roux noted that the Code Enforcement Office is requesting to use four hours of vacation time on April 28th. Mr. Paul has ample vacation / flex time accrued. Consensus of the Board was to approve the vacation time request and the document was signed by both Selectmen.

H. Recommendations from F/R Commission: Mrs. Roux advised the Board that the Acton Fire / Rescue Commission submitted recommendations for the positions of Deputy Fire Chiefs:

“In accordance with Article 7: Appointments of Officers, Paragraph 7.1 of the Acton Fire / Rescue Ordinance, the Fire / Rescue Commission unanimously recommends Mr. Richard Smith and Mr. David Langley to the Selectmen to the position of Deputy Fire Chiefs commencing on July , 2016.”

Mrs. Roux noted that applications for the position for Firefighter / EMT are still being accepted until Friday, April 22nd.

I. SM Cemetery: Mrs. Roux reminded the Board that the second payment for the Southern Maine Veterans’ Memorial Cemetery Association occurs after the second half of the fiscal year. The Association is requesting receipt of the check and photos on April 26th at 5:00 p.m.

6. OTHER BUSINESS: Ed Walsh mentioned that previously the Board missed the deadline to review the contract for the Alarm Systems which will come up again in the Fall. He would like to be certain to monitor that deadline so that the subject can be researched and considered. Mrs. Roux will .

7. PUBLIC COMMENT: Karen McMannis spoke regarding the trash that has accumulated on the Milton Mills Road. She organized a road clean up in early April and the event was very successful. Sixty-two large trash bags were filled; and a low estimate of 2000 plastic coffee / soda cups, as well as lids, straws, small liquor bottles, and flip tops were picked up. This trash is finding its way to the water bodies. Ms. McMannis contacted Representative Karen Gerrish is willing to sponsor a Legislative bill to hopefully get money from the State to help clean up refuse. She suggested that the Town sponsor a town-wide Spring clean up weekend, possibly using town trucks to transfer the trash and that the Ordinance be enforced in the areas where excessive trash accumulates.

Larissa Crockett spoke as Chairman of the Finance Committee and commented that the Committee would like to express displeasure in not being able to see and consider the original requests of Social Services and Department Heads instead of merely the Board’s recommendation.

Elise Miller announced that Fair Vote Maine will be at the Library on Saturday, April 30th at 10:30 a.m. to discuss rank choice voting and answer any questions that voters may have.

8. ANNOUCEMENTS:

A. Site Walk / 2107 Route 109 - April 21 @ 6:45 p.m.

B. Public Hearing / Romac Orchard April 26 @ 6 p.m.

C. Public Hearing / 2107 Route 109 - May 5 @ 7 p.m.

D. Nomination papers for three positions to be voted on Tuesday, June 14th: one Selectman / Overseer of the Poor, the Northern District Road Commissioner and one School Committee Member for three years and one School Committee Member for one year, will be available on March 18th; completed papers are due in the Town Clerk's Office no later than 4:00 p.m. April 29th with a minimum of twenty-five signatures and no more than one hundred signatures.

E. Kindergarten and Pre-School Registration will be held on April 27th at 6:00 p.m. at the Acton Elementary School for all 3, 4 and 5 year-old children. For Pre-School, four years old by October 5, 2016 and for Kindergarten, five for October 5, 2016.

9. ADJOURNMENT: Moved by Bill Shields, seconded by Ed Walsh, to adjourn the meeting at 6:17 p.m. The motion passed 2-0.

10. MEMBERS PRESENT: Ed Walsh, Bill Shields

11. OTHERS PRESENT: Larissa Crockett, Robert Smith, Tom Cashin, Gavin Maloney, Elise Miller, Paul Poyant, Shane Engar, Dave Langley, David Winchell Jr., Eric Dawagna, Jennifer Roux, Karen McMannis.