

SELECTMEN'S MEETING

July 10, 2018

Pledge of Allegiance

Moment of Silence for Stan Smith

Visit from Sheriff King:

Sheriff King reported that the Contract Deputy program was going well. Sheriff King handed out his quarterly reports and reviewed last year's statistics of why Deputy Dan Shaw improved the quality of life in Acton. Sheriff King opened the floor for discussion/questions.

Items discussed were:

- Motorcycle issues on 109 and other areas of Acton.
- New Speed trailers - Deputy Dan has learned this technology on his own time and the trailers will soon be put in use.
- Sheriff King commended the community partnership between policing and community action.
- Accident scene debris clean up and notification of the tow truck companies and their responsibilities for this clean up.
- Sheriff King informed that Newfield may join the partnership between Acton and Shapleigh in this program.
- Need for improved communications from who is covering from one shift to the next.
- Incident reports and callback protocols. Setting up an automatic rollover system.
- Town ordinances and familiarizing the department on the parameters held within the ordinances.

Sheriff King made an editorial comment to state that these were very valid concerns from the public, however, in this environment of rural patrol, officers have to answer the calls. Officers can not just sit and wait.

1. APPROVAL OF AGENDA:

Selectmen Stacey-Horn moved to accept the agenda; Elise Miller seconded. All in favor. Agenda accepted.

2. MINUTES OF LAST MEETING:

Tabled until the next meeting.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

Carl Davis of Three Rivers asked the Board if they would commit the \$9,000 remaining in the Land and Water Conservation Fund to the budget for the Goat Hill trail. Three Rivers is to provide an accurate budget figure to the Board. Mr. Davis reported an update on plan is to do something this fall and that he will provide the final budget to the selectmen next week. Three Rivers also wanted to inform the Board that they did close on the H Road (Epping) parcel. In the foreseeable future, Three Rivers will be putting in a trail and water access on that property.

4. OLD BUSINESS:

A. Road Association Funds

The Town Administrator passed out Article 43 for review. Mr. Murray approached the board for their support to seek the road committee's participation as administrators over the selection process of applicants approved to receive funds. Once an applicant is qualified to receive the funds, then the selectmen can approve the applicants and award amounts requested and/or the projects to be done. Discussion on criteria for grant money and their identifiers was discussed. The Board will be well involved along the way. The Board confirmed their support. Mr. Murray will continue to pursue and have another update at the next meeting.

B Atlantic Broadband Agreement

The Town Administrator reported that agreement was close to being finalized. Item 16-2.4 was the last item to be agreed upon. Broadband wants to increase the length of time for street repairs from 24-48 hours to 48-72 hours. The selectmen agreed to the proposed time. An agreement will be finalized and brought to the Board at the next meeting to be signed.

C. McManus - Property Maintenance Questions

The Town Administrator clarified the reason for the survey. Survey questions were then reviewed by the Board, discussed and agreed upon. The Town Administrator will finalize the survey and make it available to the public. Survey will be numbered as a control mechanism. Survey forms will be available at the town office during normal business hours until the end of August.

D. No Smoking Policies

The Town Administrator informed the Board that after conducting research of other town administrations, a policy was not necessary. The Board of Selectmen can just declare no smoking. The public and staff can be informed through the use of signs to deter smoking. A discussion ensued regarding designated smoking areas and the need to provide. The Town Administrator will further research wording for the signs and present at next meeting.

E. Meeting Times

Tabled.

5. NEW BUSINESS:

A. District One Funds

Pursuant to Town Meeting motion on Article 39, funds pursuant to 105-12 and 105-14 must be frozen until District One Road Commissioners submit the following: a satisfactory list of all planned projects, the type of work to be done on each project by the Acton crews or subcontractors, and the estimated costs of each project which will be made public by the Board of Selectmen. Mr. Scott Mooney approached the Board to adhere to these conditions and presented a drafted list for the Board to review with him. Mr. Mooney provided a list with dollar amounts attached and verbalized the following on the list:

- Sam Page Project
- Rock Line Ditches
- Pick up winter sand
- Final coat of pavement and edging from Nason Road to Goose Pond – this will provide 85% completion of road restructure and rebuild. Estimated longevity is 20 years with only general maintenance. Portion not done is in front of Antique section.
- Garvin Road – From Eagle Road to 109; ~1/3 of a mile and then this road is going to be totally rebuilt.
- General Maintenance items such as: 911 signs, cold patching, tree cutting, large tree removal, brush clean up, roadside mowing, cross phone calls, posting roads, etc. Some of these items cost up to \$5,000/year to complete. They are broken down on the list presented.
- Total estimate of all projects is \$140,000, leaving ~\$27,000 to do general maintenance and payroll.

The selectmen thanked Mr. Mooney for the details. Criteria has been met satisfactorily; money will be released. Details will be made public.

B. West Shore Drive

Joyce Bakshi approached the Board with concerns relating to West Shore Drive. Joe Stanley has been forthcoming with information and a pleasure to work with and none of these concerns are directed or related to him and his work. This list of concerns was gathered from a group of Acton tax payers with the intent to seek the Board of Selectmen to review and address. Items listed were:

- Traffic – West Shore Drive has a culvert built in 1990/1991 out of rickrock wrapped in chicken wire. It is 30 years old. Is condition of culvert in the kind of condition to handle increased traffic?
- The road itself – West Shore is in good condition. Concern is the extra burden of the subdivision, with this road as the subdivisions only access, the road is going to take a beating.
- School buses – School buses will need to travel an additional 4 miles +/- to get to the subdivision entrance. There is a snow plowing turnaround and snow storage area, but it is not big enough for a school bus to maneuver around. Is Acton going to have to pay to widen the road to accommodate this?
- Residential traffic – The developer indicated the private right of way between Acton and Shapleigh will not connect. But the group is concerned this is misleading because they were told Patriot's property would not be built on and yet it has been.
- Fire and Rescue – mutual aid will cause wear and tear on our equipment.
- Environment/habitat – What type of construction is proposed. What is the runoff control. There is a proposed walkway, how will it be constructed. Square pond covers both Acton and Shapleigh property areas, it is cited as one of the best lakes in the state, how will construction impact this area? Other concerns were erosion, property values and whether the EPA has given any opinion on this area.
- The subdivision is only 3 homes. 2 are accessed only through Acton and the other through Shapleigh. Why can't all three be accessed through Shapleigh? Why should Acton carry the burden of a Shapleigh subdivision
- Miscellaneous – When was the last time boundaries were surveyed and where actually are the town lines?
- Hours of construction are 6 am to very late in the evening. When you live on the water sound carries and all the noises that go with construction is unwelcome.

Mrs. Bakshi indicated that the group recognizes the fact that there are roads used in both Lebanon and Shapleigh to access Acton properties, but these have been in place for a long time. They do not see a reason to create another one of these roads, particularly where Acton bears the burden and doesn't receive anything in return.

Mrs. Bakshi thanked the Board for listening. She closed asking the Board again to please address these concerns. To think about them and to leave West Shore Drive as a dead end. A copy of the concern list was left with the Selectmen to review. Mrs. Bakshi also presented letters from area residents to the Selectmen to review as well.

Ms. Bakshi was asked by the Board if she approached Shapleigh. She responded yes she attended their planning meetings.

The Town Administrator invited Mr. Stanley to respond to Mrs. Bakshi's presentation. The major question on the table is, does the town of Acton have any rights with regard to this situation? Selectmen Walsh asked Mr. Stanley what constricts the access to the other 2 houses? Mr. Stanley responded the natural position of the brook that divides the property. Mr. Stanley also confirmed that Shapleigh had to go through all permitting to get this subdivision done and there have been concessions put into place for snow removal, snow storage and bus turnaround.

The floor was opened for discussions amongst the Selectmen, Town Administrator, Mr. Stanley and public attendees. In conclusion, the Town Administrator will seek out legal review and response to be presented at the next meeting.

C. Health Officer

Reappointment of Vicki Erickson as Health Officer. Selectmen Walsh read appointment. Selectmen Miller made a motion to appoint Vicki Erickson as Health Officer until June 30, 2019; Selectmen Stacey-Horn seconded motion. All in favor. Motion approved.

D. Planning Board

Planning Board appointments: Tom Cashin and Bob Smith are up for reappointment. Mr. Cashin is interested, however Mr. Smith is only available temporarily. The Board can not reappoint Mr. Smith because the bylaws don't permit short terms. The Senior Alternate Member will move up to the regular appointment and receive a 3 year appointment.

The Jr. Alternative will move into Sr. position and the Town will advertise to fill the Junior Alternative slot.

Selectmen Walsh read the appointment for Mr. Cashin. Selectmen Miller made a motion to appoint Tom Cashin as Planning Board Committee Member until June 30, 2021; Selectmen Stacey-Horn seconded motion. All in favor. Motion approved.

E. Commercial Haulers Permit

Based on Solid Waste ordinance, the Board was presented a commercial hauler application from Travis Penny. There are no concerns regarding this applicant that the Board would need to consider. Required application packet and check was in order. Selectmen Miller made a motion to approve the application of a commercial hauler's permit to Travis Penny; Selectmen Stacey-Horn seconded. All in favor. Motion approved.

F. Biddeford Savings Bank Waiver

The Town Administrator presented the Board with a waiver form received from Biddeford Savings Bank to be reviewed and signed. Treasurer Rumney already reviewed and signed. The waiver was read. Selectmen Miller made a motion to sign the waiver financial covenant; Selectmen Stacey-Horn seconded. All in favor. Motion approved. Waiver signed.

G. Lincoln School

Selectmen Walsh was presented with a request to purchase some of the item in the Lincoln School. However, the contents of this school are privately owned by someone in town. Selectmen Walsh is putting this information out to the public so that this owner can be identified. Once identified, a response to this inquiry can be made. The Town Administrator will provide a contact information when owner is identified.

6. PUBLIC COMMENT

Dennis Long commented that there is a noise ordinance in place in Acton. He stated times as 6 am to 10 pm, except on 4th of July and New Year's Eve. Secondly, Mr. Long mentioned that Acton needs to get a handle on properties in the town with tax relief and abatement. He indicated that the Board give consideration of some of the acres that the town owns and nobody accesses to be looked at to sell off and help alleviate the residences' tax burden.

Mrs. Bakshi approached the Board to reiterate that Shapleigh also had a noise ordinance of 6 am to 10 pm and that it should also be considered along with the West Shore Drive concerns.

7. ANNOUNCEMENTS & UPCOMING MEETINGS:

7/10/2018 Public Hearing, 7 pm
7/17/2018 No BOS Meeting
7/17/2018 Election – Marijuana. 8 am – 8 pm
7/17/2018 Conservation Meeting, 7 pm
7/19/2018 Planning Board, 7 pm
7/24/2018 Board of Selectmen

8. MEMBERS PRESENT:

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

9. OTHERS PRESENT:

Joyce Bakshi, Carl Davis, Sheriff King, Dennis Long, Scot Mooney, Dave Winchell