

## SELECTMEN'S MEETING

July 5, 2016

5:00pm

1. **APPROVAL OF AGENDA:** Moved by Bill Shields, seconded by Elise Miller, to accept the agenda as presented. The motion passed 3-0.
2. **APPROVAL OF MINUTES OF LAST MEETING:** Moved by Bill Shields, seconded by Elise Miller, to approve the Minutes of the Meeting of June 23, 2016 as written. The motion passed 3-0.
3. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**

A. Treasurer:

**Undesignated Fund Balance/Policy:** Michelle Rumney explained that the Undesignated Funds Account is the Surplus Fund which includes appropriated funds that aren't spent, unanticipated receipts and unpaid taxes, which as of today amounts to about \$270,000 and which is not cashable. She further explained that the School created a Fund Balance Policy which dictates what the minimum and maximum balance of undesignated funds can be. She pointed out that the Board of Selectmen has that same authority to write a Policy relative to the municipal fund balances, which would make the process of writing the Town Meeting Warrant and setting the tax commitment much easier because the yearly amount of undesignated funds that exist over the cap outlined by the Policy would always be clear and could be brought forward to defray taxes. Mrs. Rumney quoted from the MMA Municipal Officers' Handbook relative to Finance, the three recommendations offered regarding Reserve Funds:

- Approximately 10 – 12% of the total tax commitment;
- Two months operating expenses; or
- At least an amount equal to the highest expense month.

Taking last year's tax commitment and adding \$66,000, which was the budget increase approved by the voters at the Town Meeting, 12% would amount to \$789,312, 15% would be \$986,639 and 20% would be \$1,315,519. The Treasurer's estimate for the final figure for the 2015 / 2016 fiscal year is **\$1,456,562**. Considering the 15% figure, \$986,639, which is the target Undesignated Fund balance and subtracting the \$270,000 unpaid taxes, the balance would be \$715,639, representing about 11% of the tax commitment from last year.

She strongly encouraged the Board to consider setting a Policy to set the high and the low balance. There is no state law dictating how this issue is handled. The Auditor recommends a balance equal to three months' expenses or about \$950,000, which the Treasurer agrees with. The article that the Board makes at the Special Town Meeting could leave the wording open and merely make a recommendation. Ed Walsh asked if the wording of the article could be an "up to" amount. Mrs. Rumney advised that it definitely could.

1. **Special Town Meeting Warrant:** Consensus of the Board Members was to draft the Warrant articles as follows:

Article #2: To see if the Town will vote to raise and appropriate \$1,000 for the Southern Maine Veterans' Memorial Cemetery Association;

Article #3: To see what sum the Town will vote to appropriate from the following revenues and fund balances to reduce the amount to raise by taxation during the 2016 / 2017 tax commitment.

Larissa Crockett, Chairman of the Warrant and Finance Committee, stated that the committee agrees that there is wisdom in maintaining a stable tax rate so dramatically lowering the rate only to raise it another year is inadvisable. However, committee members also feel that a \$460,000 balance in unspent appropriated funds over two years should have been used to defray taxes rather than being brought forward as reserve funds. Therefore, she encouraged the Board to consider dropping the tax rate even five cents because it shouldn't have been raised initially.

Mrs. Roux will provide a draft to the Warrant and Finance Committee for review at their meeting on Monday.

- 2. Health Insurance Renewal:** Mrs. Rumney spoke about the memo regarding the health insurance renewal; the \$5200 for a family plan and \$2600 for a single plan will be increased by 1.27%. She stated that the deductible is unchanged so the Town's health savings contribution will not change. Enough money is budgeted to cover the increase and there is still enough cushion if a staff member elects to join.

Moved by Bill Shields, seconded by Elise Miller, to accept the proposed renewal of the existing health plan reflecting the 1.27% increase. The motion passed 3-0.

#### **4. OLD BUSINESS:**

- A. Gym:** Mrs. Roux explained that a "do not duplicate" key system must be processed through a lock smith instead of through a hardware store. Steve's Locksmith will replace the lock and provide one hundred keys on Wednesday.

Mrs. Roux reminded Board Members that the current membership rate is \$240 per year for residents, \$120 per year for employees and volunteers, Fire and Rescue is exempt except for the key deposit. She expressed the opinion that offering an option of three-month memberships with a consistent annual renewal for all members would be easiest. All members would be charged a key fee. Consensus of Board Members was to proceed with this process.

Board Members agreed with the proposed release and asked that a notice be posted that members must not use the gym equipment until the release is signed.

- B. Foreclosure Properties - Tax Sale:** Ken Paul noted that both lots are non-conforming lots of record that were created prior to enactment of the Ordinance and were legally created and meet the zoning standards. He recommended that if the Board offers the properties as "buildable", that they stipulate that a building permit must be obtained within thirty days because zoning criteria does change. Moved by Bill Shields, seconded by Elise Miller to offer tax-acquired property on H Road, Map 229, Lot 046, for a minimum bid of \$45,000. The motion passed 3-0. Moved by Bill Shields, seconded by Elise Miller to offer tax-acquired property on Foxes Ridge Road, Map 248, Lot 015, for a minimum bid of \$15,000. The motion passed 3-0. Consensus of Board Members was to set the bid process for a duration of thirty days with a deadline of 4:00 p.m. on August 12<sup>th</sup>, bids will be sealed and the Board reserves the right to reject any and all bids.
- C. Liaison Memo:** *The Board Chairman discussed and read portions of the memo regarding the Selectmen liaison assignments: "At the June 23, 2016 Board of Selectmen meeting, the Board discussed committee and department liaisons and the importance of communication. Below please find a listing of each Selectmen and the committees/departments he or she shall serve as liaisons to. Please remember, the liaison is designed to be your first point of contact should an issue or emergency arise. However at the same time, the liaison is only one of three Board*

*members and has no decision making authorities without the remainder of the full Board, other than an emergency. Elected officials who are not listed below are always welcome at Selectmen's meeting on Tuesday at 5pm. It is the intent of this Board to continue to meet weekly and conduct all business in a public meeting; with the exception of topics that qualify under Executive Sessions. If your committee/department is not listed below or you feel you have a sensitive or confidential topic, please contact Jennifer Roux. Lastly please note, the Board will begin inviting departments/committees to their meetings once or twice a month for updates. Please look for that schedule in the future.*

*Ed Walsh - Chairman*

*Land Use/Planning Board*

*Fire Department*

*Forest & Conservation Committee*

*Bill Shields -*

*Mary Grant Committee*

*Recreational Committee*

*Transfer Station*

*Elise Miller -*

*Warrant and Finance Committee*

*School Department*

*All in house issues should continue to be brought to Jennifer Roux. Thank you.*

**D. Selectmen Office Hours Memo:** The Board Chairman read the memo regarding the Selectmen Office Hours stating:

*“Town of Acton Property Owners and Residents, take notice: a member of the Board of Selectmen will now hold office hours at the Acton Town Hall on the first, second, and third Thursday of each month from 5:30 p.m. to 6:30 p.m. The purpose of these office hours is so that a Selectmen will be available to the public to hear any thoughts or concerns they may have. Please note: to avoid a quorum or public meeting, there will only be one Selectmen here during that time period. With that said, these hours will be informational only and the Selectman will take any thoughts and concerns back to the full board at the next regular meeting at which time any decision, if necessary will be made. Lastly, please note that this time is not intended for Department Heads, who should continue to reach out to their Selectmen Liaison or attend any meeting on Tuesday nights. If you have any questions, please contact Jennifer Roux at 636-3131 extension 401 or email at [jroux@actonmaine.org](mailto:jroux@actonmaine.org). Thank you very much, Board of Selectmen.”*

## **5. NEW BUSINESS:**

**A. Fire Chief Recommendation:** Mrs. Roux informed the Board that the Fire Chief Commission, through the Chairman, William Williams, wishes to recommend Stephen Johnson to the position of the Fire Chief. She has scheduled Mr. Johnson to meet with the Board on Tuesday, July 12<sup>th</sup> at 4:30 p.m. She will forward Mr. Johnson's resume and application to Board Members prior to that meeting.

**B. Sign / Pole – Dasco:** Mrs. Roux thanked Mary and Scott Stanton from Dasco Signs for donating a pole so that changing the information on the sign will be easier.

The Board discussed lighting the sign. Mrs. Roux will obtain a quote and bring the information to an upcoming meeting, once obtained.

- C. Legislative Policy Committee:** The Board Chairman read the Maine Municipal Ballot naming candidates to serve on the committee statewide: District #34, Maine Municipal's Legislative Policy Committee, July 1, 2016 to June 30, 2018 – Vote for two, Richard Morin, Kennebunk and Larissa Crockett, Acton.

Moved by Elise Miller, seconded by Bill Shields, to cast a vote for Larissa Crockett and Richard Morin to serve on the Maine Municipal Legislative Policy Committee. The motion passed 3-0.

- D. Vacationland Volkswagon Mass Gathering Permit:** Mrs. Roux stated that the group is applying to hold their annual event on Sunday, August 7<sup>th</sup> from 9:00 – 3:00 p.m. She noted that they completed the form, provided proof of insurance and paid the fee.

Moved by Bill Shields, seconded by Elise Miller, to approve the application. The motion passed 3-0 and the approval was signed by all three Board Members.

- E. Library Repairs:** Mrs. Roux reminded Board Members that through the FY 2016 – 2017 budgeting process, Department Heads were asked to provide a list of maintenance projects that needed to be funded through the Warrant. She stated that unofficially it was agreed that the Library's list of projects that could be done in the 2015 – 2016 budget were identified and done and any remaining projects could be funded from the upcoming budget if approved at Town Meeting. Elise Miller, the Library Director, prioritized the remaining repairs with keeping the Library floor warmer the primary concern. Mrs. Roux reported that Energy Saver quoted a price of \$1560 to insulate the crawl space, floor joists and side walls, and \$1595 to install an air system to address and mitigate a possible mold problem. He also provided a quote for increasing the insulation in the attic. Mr. Walsh suggested contacting the company for a more recent quote and seeking a second quote if possible. The subject will be discussed at the next meeting.

- F. AED / CPR Training - 07/18 6pm - 9pm:** Mrs. Miller reported that the Library applied for a grant for an AED unit and that the grant was awarded. She suggested placing the unit in the hallway so that all offices would have access to it as well as the public who is attending a function in the Town Hall. Mrs. Roux suggested that the Monday, July 18<sup>th</sup> AED training should be mandatory for all staff. Consensus of Board Members was to send a memo to all staff informing them that the training is mandatory. Ed Walsh requested that Mike Corey also be notified of the training so that his staff who records meetings could also take advantage of the training.

- G. Flex Time Off:** The Board acknowledged Ken Paul's request for two hours off on July 14<sup>th</sup> and three hours off on July 16<sup>th</sup> and signed the request.

## 6. OTHER BUSINESS:

- A. Three Rivers Land Trust:** Larissa Crockett reminded Board Members that \$100,000 was approved at the Annual Town Meeting to be raised and appropriated towards the purchase of the Romac Orchard property - twenty-five acres at the top of Goat Hill which would be held as public access property. The Three Rivers Land Trust will raise \$75,000 to complete the \$175,000 purchase of that property. She stated that the Trust is seeking to also purchase the remaining 218 acres to be used as future farmland. Two 100+ acre lots would be offered at a very reduced price to two buyers who would be restricted to using the property only for farming activities. The Land Trust would hold an easement to ensure that the land is retained for only agricultural uses.

The Three Rivers Land Trust goal is to actually raise \$180,000 towards their share of the two purchases. A generous donation of \$10,000 has already been received towards their goal.

The Land Trust has identified a Federal grant opportunity that is administered and distributed through the Maine Bureau of Parks and Land, however, the grant can only be applied through the municipality. Mrs. Crockett requested that the Town officially apply for the grant and the Land Trust would take full responsibility for writing and facilitating the grant. There would be no Town Hall staff time or resources involved. If the grant is awarded, it would reduce the Town's original \$100,000 portion of the purchase by \$10,000. In order to proceed with the grant, there is a site visit required by the Maine Bureau of Parks and Land no later than June 29<sup>th</sup> so there is a time restraint involved. The actual full application is due by November 18, 2016. The Land Trust would maintain communication with the Board of Selectmen throughout the process. In response to Ed Walsh's question, Mrs. Crockett answered that there is no commitment expected from the Town for matching funds.

Mrs. Roux suggested that the subject be tabled for one week so that the Town's Attorney can review the request. The Board concurred.

- B. Charter:** Larissa Crockett stated that every few years there seems to be a disconnect between the interpretation of what is voted on at Town Meeting and how the Board of Selectmen conducts its business. She also stated that while that's ok, it always seems to work itself out, the only way that a town's body can direct how the Board of Selectmen runs the town is through a Charter. Writing and adopting a Charter takes a great deal of time but it's an opportunity to reflect on how the town is governed and the direction that the voters would like to see the Town go. While Acton has been very active in adopting the Comprehensive Plan and Zoning, it has not taken a hard look at the governance of the Town.

Mrs. Crockett felt that initially the Board of Selectmen could hold a few hearings to start some dialog between the many diverse groups of people that live in Acton: the large land owners, the two-lot land owners, the older folks, younger folks, lake citizens, inland citizens, private road citizens, town road citizens. They all should feel that they have a voice in guiding how they wish to be governed.

Elise Miller asked if Mrs. Crockett is aware of the availability of a template to write a Charter or should a survey be used. She responded that there is criteria based on the fact that a Charter cannot be in conflict with State Statutes but the process should begin with a good open forum for communication.

Consensus of the Board was to begin with contacting MMA for advice and discuss the subject at the an upcoming meeting.

**7. PUBLIC COMMENT:** None

**8. ANNOUNCEMENTS:**

Elisa Miller announced that on Saturday, July 9<sup>th</sup> at 9:30 a.m. Jordan Bennison, who offers an African drumming presentation, will return to perform.

Ed Walsh asked if the various committees are meeting to reconvene for the fiscal year, elect chairman etc. Mrs. Roux responded that she has been working with the committees to swear in members that have been reappointed.

**9. MEMBERS PRESENT:** Ed Walsh, Bill Shields, Elise Miller

**10. OTHERS PRESENT:** Jennifer Roux, Michelle Rumney, Ken Paul, Carl Davis