

SELECTMEN'S MEETING

May 17, 2016

5:00pm

1. **APPROVAL OF AGENDA:** Moved by Bill Shields, seconded by Ed Walsh, to accept the agenda as presented. The motion passed 3-0.
2. **APPROVAL OF MINUTES OF LAST MEETING:** Moved by Bill Shields, seconded by Ed Walsh, to approve the Minutes of the Meeting of May 10, 2016 as written. The motion passed 3-0.
3. **DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**
 - A. **Town Clerk**

June 14th State and Municipal Election: Jennifer Roux reported that as of this date, absentee ballots for the June 14th State and Municipal elections are available. Therefore, she reminded everyone that it is important to remember that whenever the Town Clerk's Office is open, no political activity can take place within 250 feet of the building unless it occurs on private property.

She also noted that this is a primary election and that six absentee ballots were already issued, three of which were issued to unenrolled voters. The ballots consist of:

- **Municipal Ballot:** all voters will be issued a Municipal Election ballot except those voters who are currently age seventeen but will turn eighteen prior to the November election. These voters are eligible to vote in a Primary Election, per State law.

There are three candidates running for the Selectman's three-year seat: Ted Kryzak, Elise Miller and Jonathan Morris; two candidates for the Road Commissioner District One race, Scott Mooney and Joe Letourneau; and one candidate for the three-year term School Committee member, Amanda Cobb and one candidate for the one-year term School Committee member, Jeanette Bearse.

Mrs. Roux stressed that it is very important to remember that the Municipal ballot is two-sided: the referendum question regarding the purchase of the Romac Orchard parcel of land is on the reverse side of the ballot.

- **Primary Ballot:** Mrs. Roux explained that as of the current date, voters who are enrolled in a party can only receive that party's ballot, Republican or Democrat. The Green Party does not have a contested race. Unenrolled voters are not currently eligible to vote in this primary.

New State legislation dictates there is a deadline for write-in candidates to file their intent to run and that the State does not have to print a blank ballot if no write-in candidate exists nor does it have to list a non-contested race on a party's ballot so the two ballots could look very different.

Sample ballots are posted on Town bulletin boards and online in the effort to educate voters before they actually cast their vote. Mrs. Roux urged voters to call her if they have any questions.

Property Tax Reminders: The Tax Collector reported that the Town does not send out second-half property tax bills, however, reminders have been sent to property owners with taxes still unpaid. During the second week of June, certified thirty-day letters will be sent to property owners with outstanding taxes.

Town Hall Floor Refinishing: Mrs. Roux reminded Board members that the floor will be refinished the day after the meeting and asked them to remain after the meeting to help clear the hall of furniture.

B. Fire Chief: David Langley reported that, regarding the Liquor License renewal for Willy's Restaurant, the structure was inspected and found to be in compliance.

4. OLD BUSINESS:

A. Fire Chief Ad: Mrs. Roux reported that the advertisement approved at the meeting of May 10th, which includes a deadline of 4:00 p.m. on June 10th, has been placed with Maine Municipal, posted on the Town's website, listed in area newspapers and posted on the York County Fire Chief and the State of Maine Fire Chief websites.

B. Gym Door: Mrs. Roux reported that she has scheduled a representative from American Securities to meet with the Board on May 31st regarding securing the Gym building.

C. MMA Action Plans: Mrs. Roux informed the Board that the Fire Department Facility alarm will be turned on during the upcoming week, which is the final item on the list.

D. Abandoned Properties: Mrs. Roux told the Board that the CEO and Attorney Lenkowski attended a court session regarding the final property in which the defendant was ordered to demolish the building and clean up the site within 90 days. The property owner was also found to be responsible for all of the Town's associated costs.

E. Foreclosure Properties: Ed Walsh reported that he is still waiting for information as to whether one of the properties is suitable to use for erecting a possible communications tower.

F. Firefighter/Paramedic Position: Pending Exam

G. Old Sand/Salt Building: Road Commissioners have been notified monies can come out of winter maintenance to clean out the old sand/salt shed.

H. Meetings vs. Workshops: : Bill Shields noted that they had discussed the possibility of holding a round-table meeting once a month.

Ted Kryzak noted that ordinance needs to be addressed regarding at least the expected fire protection in the bars in Town which would be a good subject for round-table meetings. The Fire Chief stated that, regarding commercial properties in Town, the State of Maine has accepted NFPA regulations as law, so unless the Town wishes to approve stricter standards, that law is in place and a Town ordinance wouldn't be necessary.

Consensus of the Board was to hold three regular Selectmen's meetings per month and one round table meeting. Mrs. Roux will advertise this change. Round table sessions will be held with the Board and the various Department Heads and will be taped rather than aired live however, no public input will be allowed.

5. NEW BUSINESS:

A. Nominations Policy Committee MMA: Mrs. Roux explained that this is the formation of a new committee that will be held in Augusta to discuss writing policies. Larissa Crockett has requested to be placed on this committee as the Representative for the Town of Acton.

Moved by Ed Walsh, seconded by Bill Shields, to appoint Larissa Crockett as the Representative for the Town of Acton to the Legislative Policy Committee. The motion passed 3-0.

B. Memo / Treasurer: Ted Kryzak read a memo from the Town Treasurer:

"After a consultation with the Warrant and Financing Committee, I am proposing this change to Article #53. The reason for splitting these funds up is so that these specific capital improvement funds are not spent without consent of Town Meeting. We had done this for several years but the split was neglected, in error, on this year's Warrant."

Mr. Kryzak explained that the monies in the Ambulance Reserve, Capital Improvement, Dams Capital Improvement, Fire Department Capital Improvement for the truck, Recreational Capital Improvement and the Road Capital Improvement Funds should be carried forward but not appropriated. He questioned that the El Wrap Funds should be included in this list. The subject was tabled until the Treasurer could address the question.

C. Warrant Recommendations one Article 35 - Article 57:

Article 35: To see if the Town will vote to raise and appropriate \$10,800 to the Equipment Expense Reserve for the Fire Department, Account #104-03. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 35 as written. The motion passed 3-0.

Article 36: To see if the Town will vote to raise and appropriate \$0 to the Fire Department Capital Fund towards the future purchase of a new fire truck. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 36 as written. The motion passed 3-0.

Article 37: To see if the Town will vote to ratify the overdraft in the Salt / Sand Stockpile Account in the amount of \$13,801.06 from the Undesignated Fund. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 37 as written. The motion passed 3-0.

Article 38: To see if the Town will vote to raise wages and equipment for the repair and maintenance of public ways in the following schedule: (reading of the schedule was waived). Town to furnish cutting edges, bolts and brushes for mechanical sweepers and cut-off wheels for equipment used exclusively for maintaining Town of Acton roads. Cost of operations: the above rates are based on price of fuel up to and including \$4.30 per gallon. The Town of Acton will pay an additional \$1.00 per hour for each \$.25 increase per gallon for equipment using diesel fuel. This will be based on the fuel prices at Boonies in Shapleigh each Sunday. Such price will determine the fuel price for the following week's warrant. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 38 as written. The motion passed 3-0.

Article 39: To see if the Town will vote to raise and appropriate \$225,854 and appropriate \$251,000 for District One roads, Department 105, to be expended as follows: (reading of the rest of the article was waived). Moved by Ed Walsh, seconded by Bill Shields to recommend Article 39 as written. The motion passed 3-0.

Article 40: To see if the Town will vote to raise and appropriate \$225,854 and appropriate \$251,000 for District One roads, Department 105, to be expended as follows: (reading of the rest of the article was waived). Moved by Ed Walsh, seconded by Bill Shields to recommend Article 40 as written. The motion passed 3-0.

Article 41: To see if the Town will vote to raise \$135,421 for shared road accounts, Department 105, to be expended as follows: Salt / Sand Stockpile - \$120,383; Public Works Building - \$15,038. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 41 as written. The motion passed 3-0.

Article 42: To see if the Town will vote to raise and appropriate \$273,362 for the Transfer Station, Department 105-40. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 42 as written. The motion passed 3-0.

Article 43: To see if the Town will vote to appropriate up to \$12,400 from the Recreation Capital Improvement Fund for the operation of the Recreation Department, Department 13-01. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 43 as written. The motion passed 3-0.

Article 44: To see if the Town will vote to raise and appropriate \$250 for the Conservation Committee.

Mrs. Roux noted that if the Article requesting to consolidate the Forestry and the Conservation Committees passes, Article 45 might have to be reworded. She will work with the Treasurer to determine how that should read. Ted Kryzak stated that if an article requesting money to fund the Forestry Committee passes, then that should be consolidated as well.

Voting on a recommendation for Article 44 was tabled until this issue can be resolved.

Article 45: To see if the Town will vote to raise and appropriate up to \$297,924 for the County Tax, Department 108-51. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 45 as written. The motion passed 3-0.

Article 46: To see if the Town will vote to raise and appropriate \$538 for Planning and Development to be expended as Forester stipend, Department 107-05. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 46 as written. The motion passed 3-0.

Article 47: To see if the Town will vote to raise and appropriate \$2,750 for cemetery maintenance, placement of flags, markers and repair of veterans' graves, Department 109-01. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 47 as written.

Mrs. Roux informed the Board that the Town still does not have a complete list of existing veterans' graves nor someone to pull the project together. Ted Kryzak noted that if the Forestry and Conservation Committees are combined, perhaps that would be a good task for that

committee to work on because many of the people that serve on the two existing committees want to remain on the newly combined committee and they already have a lot of knowledge in that regard.

The motion passed 3-0.

Article 48: To see if the Town will vote to raise and appropriate \$66,775 for the following donations, Department 109-20. Mr. Kryzak noted that the list of charities is the same that the Town of Acton has been donating to for many years.

Ed Walsh stated that he feels that the Acton Library request should have been included in this list so he declined from making a motion. Moved by Bill Shields, seconded by Ted Kryzak, to recommend Article 48 as written. The motion passed 2-1.

Article 49: To see if the Town will vote to raise \$10,835 and appropriate \$13,335 for dams, Department 109-50, \$2,500 to come from the Dams Capital Improvement Fund: Mousam Watershed Dam Coalition Annual Maintenance, \$5310; Mousam Watershed Dam Coalition Capital Improvements, \$2,500; Dam Capital Improvement Reserve Fund, \$5,000; Balch Lake Dam Operator's Stipend, \$525. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 49 as written. The motion passed 3-0.

Article 50: To see if the Town will vote to raise and appropriate \$40,024 for wages and operational costs of the Acton Public Access TV also known as APAT, Department 111. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 50 as written.

Article 51: To see if the Town will vote to appropriate from the Undesignated Funds up to \$20,000 for the construction of the front entrance walkway to the Library. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 51 as written.

Article 52: To see if the Town will vote to appropriate from the Undesignated Funds up to \$50,000 for the replacement of siding at the rear exterior fire exit stairs of the Town Hall. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 52 as written.

Article 53: tabled until corrections are made.

Article 54: To see if the Town will vote to accept any and all funds received from the State of Maine and the Federal Government and appropriate any designed revenues received to their designated use. Moved by Ed Walsh, seconded by Bill Shields to recommend Article 54 as written.

Article 55: To see if the Town of Acton will authorize to transfer an amount of up to \$65,000 from the School's Undesignated Funds account to Article 2, Regular Instruction to cover the expense of a Foreign Language teaching position. Consensus of Board Members was to make no recommendation on Article 55.

Article 56: To see if the Town of Acton will authorize the transfer of excess funds from the School's Undesignated Funds balance to offset taxes contingent on the Acton School Department Fund Balance Policy and it being a surplus at the end of the fiscal year. Ted Kryzak explained that the exact amount will not be known until the end of May or early June, so based on the new

Policy, the amount over an above the stipulated Undesignated Fund balance will be transferred to the Town account. Mr. Kryzak noted that it will be at least \$100,000 perhaps more. This article will appear at the end of every fiscal year. Consensus of Board Members was to make no recommendation on Article 56.

Article 57: To see what sum Town will vote to appropriate from the following estimated revenues and fund balances to reduce the amount to be raised during the Tax Commitment Fiscal Year: 2016 / 2017 Municipal Revenues, \$636,400; Municipal Undesignated Fund Balance, \$300,000. Consensus of Board Members was to changed the wording of the order to request “up to \$300,000 from the Undesignated Fund Balance”. Article 57 was tabled until Mrs. Roux can discuss it with the Treasurer.

Mrs. Roux noted that the Warrant and Finance Committee is meeting on Monday, May 23 to make their final recommendations on the Warrant articles so that the Board of Selectmen can sign the completed Warrant at their regular meeting on Tuesday.

6. OTHER BUSINESS: None

7. PUBLIC COMMENT: None

8. ANNOUNCEMENTS:

A. DOT Hearing, 6:00 p.m. May 26 regarding the northerly side of Sam Page Road to the New Hampshire Border.

B. Personnel Policy Dept Workshop 4:00 p.m. on May 31

C. The Mary Grant and Recreation Committees are both in need of members.

9. MEMBERS PRESENT: Ted Kryzak, Ed Walsh, Bill Shields

10. OTHERS PRESENT: Robert Boynton, Rick Smith, Paul Poyant, Eric Dewalгна, Jennifer Roux, Dave Winchell Jr.