

**SELECTMEN'S MEETING
TOWN OF ACTON
September 24, 2015
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 3-0.

2. APPROVAL OF MINUTES OF LAST MEETING:

Moved by Bill Shields, seconded by Ed Walsh, to approve the minutes as written. The motion passed 3-0.

3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES

Town Clerk/Office Manager

- A. Fire/Rescue Merger Update: Ed Walsh stated that they had met and that the proposed ordinance should be ready soon. Jennifer Escoto will attend the next Board of Selectmen's meeting to provide an update.
- B. Sept 17 Public Hearing Follow Up / Changes:
- **Proposed Fire Department Ordinance:** Ed Walsh stated that a meeting is scheduled for September 29th to address changes to the proposed Fire Ordinance that have come through the Warrant and Finance Committee, etc. He also expressed the opinion that, because so many changes have been made, it should be reviewed again by the Town's Attorney.
 - **Proposed Transfer Station Ordinance:** The proposed ordinance is final and can be referred to the Warrant and Finance Committee.
 - **Proposed Historical Structures Special Exceptions Ordinance:** Ken Paul reported that people who attended the Planning Board's public hearing appeared to support the Ordinance. However, the Planning Board voted not to support the proposal as written because it could be difficult to enforce based on several factors:
 - The draft exempts historical structures outside of the Shoreland District; there are a few structures, as defined by the proposal, within that district that would not fall in this article as written;
 - Structures could never be expanded even if it is conforming;
 - The use could never change which discourages responsibly using the property possibly causing deterioration;
 - Historical buildings must be repaired in the original location which prevents the property owners from relocating it to a more desirable location if they wish;
 - Town Meeting could approve designating a building as historical which can become more emotional than practical;
 - The definition is based on measuring by "significant": historical / cultural aspects, activity, contribution to the town, architectural type, history, historical. This could be subjective; an inventory of Historical Buildings might be preferable to using criteria.

Mr. Paul stated that in the situation of the "Little Red Schoolhouse", if 50% of the value is not removed, permissible work can be done to the structure in its original location without going before the Planning Board.

Dale Barrows read emails between herself and Joe Lenkowski regarding the Planning Board Public Hearing in which Mr. Lenkowski expresses support for the article as proposed.

Motion by Ed Walsh, seconded by Bill Shields, to table the issue until the next meeting pending more information.

- C. **Town Report:** Mrs. Roux stated that the reports from the Board of Selectmen and the Auditor are still outstanding.
- D. **Veterans Graves Survey:** Dick Neil distributed a list that he has compiled and stated that the Acton Shapleigh Historical Society has started cleaning some of the cemetery sites.
- E. **Freedom of Access Training:** Mrs. Roux will be attending the MMA training in Saco.
- F. **Job Descriptions / Policy Committee:** The Committee declined working on developing Job Descriptions.
- G. **Color Chart - Metal Plans:** Motion by Ed Walsh, seconded by Bill Shields, to select the Hawaiian Blue color for the Sand / Salt Shed. The motion passed 3-0.
- H. **Warrant and Finance Committee Inquiry Response:** Attorney Brad Morin, in his response to the Warrant and Finance Committee's inquiries, expressed the opinion that the proposed language of the articles pertaining to Resource Protection is legal. He also stated that a vote to table a question at town meeting is the same as defeating it, therefore the two conflicting sections in question would remain in effect. Regarding the Selectmen's decision to move the articles forward in that manner. Attorney Morin stated that it is not illegal, therefore, the Board cannot be sued in his opinion. The Chairman stated that based on the letter, the articles will be presented at the special town meeting as written.
- I. **Merit Raises / Secretarial Line:** Mrs. Roux reported that she has decided to table the request to consider offering merit raises that would extend beyond the current budget and cause for an article at the upcoming Special Town Meeting. In the interim, she requested hiring a temporary secretary based on a ninety day probation. Additionally because money exists in the appropriated budget line, she is also requesting increasing wages for the two secretaries and the existing part-time position. Motion by Bill Shields, seconded by Ed Walsh, to approve hiring the temporary secretary and increasing the wages as presented for the three current positions. The motion passed 3-0.

4. OLD BUSINESS:

- A. **Abatements:** The Office Manager requested signatures on forms for the two abatements approved at the previous meeting.
- B. **Sophem Catering Letter:** Mrs. Roux stated that the letter was more informational than actionable. The Selectmen are required to acknowledge the notice that the State has approved a Caterer's License. Moved by Bill Shields, seconded by Ed Walsh, to sign the Acknowledgement. The motion passed 3-0 and the document was signed.

5. NEW BUSINESS:

A. **Development within the Saco River Corridor:** Saco River Corridor notified the Board that an application has been submitted by Dennis Stock at 88 Raccoon Road, Acton, to build a garage within the Saco River Corridor. This application will be considered at a meeting on September 23rd. Selectmen, Planning Board Members and abutters are invited to attend.

6. OTHER BUSINESS:

Motion by Ed Walsh, seconded by Bill Shields, to schedule an Executive Session on Thursday, September 24th at 10:00 a.m. to discuss a personnel issue.

David Winchell stated that it's time to process the salt / sand bid. He proposed requesting two bids for 3/8 sand: as delivered as well as at the yard because the new shed may not be ready for stockpile. Based on the expected completion of the new facility, which is about mid-December, it may be necessary to use the old shed as well. Consensus of the Board was that the bids for sand will be considered at the October 1st meeting and salt at the October 8th meeting.

7. ANNOUNCEMENTS:

- A. Public Hearing October 1, 2015 @ 6:00 p.m.

- B. Special Town Meeting October 20, 2015 @ the Elementary School
- C. Flu Shots September 25, 2015 9a.m.-11a.m.
- D. Rabies Clinic October 25, 2015 10am-12noon Kennebunk Animal Shelter

- 8. MEMBERS PRESENT:** Ted Kryzak, Ed Walsh, Bill Shields
- 9. OTHERS PRESENT:** Jennifer Roux, Ken Paul, Eric Dawalga, Dick Neal, David Winchell Jr., Robin Ham
- 10. ADJOURNMENT:** Motion by Bill Shields, seconded by Ed Walsh, to adjourn the meeting at 6:04 p.m.
The motion passed 3-0.