

**TOWN OF ACTON, MAINE  
WARRANT  
TO  
Robert Anderson  
A CITIZEN IN THE TOWN OF ACTON  
YORK, SS  
GREETINGS:**

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of said Town of Acton, qualified to vote in Town affairs to assemble at the Acton Town Hall on **June 10, 2023 at 9:00am** to vote on the following articles:

**ARTICLE 1:** To choose a moderator for said meeting.

**Richard Nass was elected Moderator by written secret ballot.**

**ARTICLE 2:** To choose three (3) members of the Warrant and Finance Committee for a two year term.

Joe Ruma\*, Joyce Bakshi, and Dennis Long II's terms are expiring.

(\*Tom McGurty was the Elected Regular Member 2 years prior, Alternate Ruma replaced McGurty, when McGurty resigned to serve as Select Board Member.)

Nominated were:

|                      |           |
|----------------------|-----------|
| Long, Dennis         | 41        |
| <b>Bakshi, Joyce</b> | <b>55</b> |
| <b>Denekamp, Jon</b> | <b>46</b> |
| Borgal, Margarita    | 39        |
| <b>Ruma, Joe</b>     | <b>44</b> |

**\* Elected were Joyce Bakshi, Jon Denekamp, and Joe Ruma**

**ARTICLE 3:** To choose one (1) alternate member of the Warrant and Finance Committee for a two year term.

Margarita Borgal's\* term is expiring.

(\*Ruma was the Elected Alternate 2 years prior, Borgal was appointed by Select Board to replaced Ruma when Ruma was moved up as a regular member.)

Nominated were:

|                     |           |
|---------------------|-----------|
| Long, Dennis        | 36        |
| <b>Robator, Lee</b> | <b>47</b> |

**\* Elected was Lee Robator**

**ARTICLE 4:** To choose (2) members of Road Committee for a three year term.

(Jay Ward and Leslie Berlan's terms are expiring)

Nominated were:

|             |    |
|-------------|----|
| Moss, Chris | 23 |
|-------------|----|

Butler, John 35  
Ward, Jay 38  
Collins, Tim 22  
Wawrzeniak, Bill 35

\* Elected was Jay Ward

2nd seat was re-voted by Secret Ballot

Butler, John 31  
Wawrzeniak, Bill 46

**ARTICLE 5:** To see if the Town will vote to amend the Zoning Ordinance relative to Conditional Use Permits as specified below:

**PROPOSED AMENDMENTS TO THE ZONING ORDINANCE  
RELATIVE TO CONDITIONAL USE PERMITS**

~~Shaded Strike through~~ indicates wording removed

Shaded Underline indicates wording added

Asterisks ( \* \* \* ) indicates existing wording omitted before or after for Warrant Clarity

**6.6.3.4 Review Procedure and Public Hearing;** After the Planning Board determines that the application has been filed together with the submissions the Board needs to consider if the standards listed in Section 6.6.3.7 can be complied with, the Planning Board shall hold a public hearing on the application within thirty (30) days. The Board shall notify the Code Enforcement Officer and Municipal Officers, and shall publish notice of the time, place, and subject matter of hearing at least ~~ten (10)~~ seven (7) days in advance, on the Town Website and in a newspaper of general circulation in the area.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article 5 passed as written.

**ARTICLE 6:** To see if the Town will vote to amend the Zoning Ordinance relative to Conditional Use Permits as specified below:

**PROPOSED AMENDMENTS TO THE ZONING ORDINANCE  
RELATIVE TO CONDITIONAL USE PERMITS**

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**6.6.3 – Conditional Use Permits**

\* \* \* \*

**6.6.3.2 – Existing Conditional Use or Structure**

A Conditional Use which existed prior to the effective date of this Ordinance may not be changed to

another Conditional Use nor substantially expanded or altered in conformity with all regulations of this Ordinance pertaining to Conditional Uses. Substantial expansion shall be defined as:

- a) A use increase in area of 25% or more.
- b) New materials or processes not previously associated with the existing use.

No changes shall be made in any approved Conditional Use without approval of the change by the Planning Board. Whenever a parcel or tract of land subject to a Conditional Use Permit changes ownership or lease holder, the new operator shall review the conditions with the Code Enforcement Officer. The new operator will provide a Certificate of Insurance citing the Town of Acton and renewal of any Surety pertaining to the project.

Select Board Recommend: Approve the Article As Written (3-0)  
 Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed.

**Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article 6 passed as written.**

**ARTICLE 7:** To see if the Town will vote to amend the Zoning Ordinance relative to Solar Energy Systems as specified below:

**PROPOSED AMENDMENTS TO THE ZONING ORDINANCE RELATIVE TO SOLAR ENERGY SYSTEMS**

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Underline indicates wording added

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**2.7 Land Use Chart**

**ANY USE NOT LISTED HEREIN IS PROHIBITED**

- C** = Conditional Use Review
- LPI** = Licensed Plumbing Inspector
- N** = Not Permitted (use not allowed)
- P** = Permitted (use allowed without a permit, must comply with all applicable land use standards)
- R** = CEO Review (use must be reviewed by CEO and a permit may be required)
- S** = Site Plan Review
- SD** = Subdivision Review
- NA** = Not applicable

|                                   |              |                          |                     |                              |              |              |              |           |                     |           |                |                          |
|-----------------------------------|--------------|--------------------------|---------------------|------------------------------|--------------|--------------|--------------|-----------|---------------------|-----------|----------------|--------------------------|
|                                   | Village Area | Transition Area (2 acre) | Rural Area (2 acre) | Critical Rural Area (5 acre) | Commercial A | Commercial B | Commercial C | Mixed Use | Resource Protection | Shoreland | Little Ossipee | Aquifer Protection Dist. |
| <b>2.7.6 – ESSENTIAL SERVICES</b> |              |                          |                     |                              |              |              |              |           |                     |           |                |                          |

\* \* \* \* \*

|                               |   |   |   |   |   |   |   |   |   |   |   |   |
|-------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|
| e. Renewable energy installed | R | R | R | R | R | R | R | R | R | R | R | R |
|-------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|

|  |           |           |           |           |           |           |           |           |           |           |           |           |
|--|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| <b>on an existing structure (Non-solar)</b>                                  |           |           |           |           |           |           |           |           |           |           |           |           |
| <b>f. Renewable energy installed on a non-existing structure (Non-solar)</b> | <b>C</b>  | <b>C</b>  | <b>C</b>  | <b>C</b>  | <b>C</b>  | <b>C</b>  | <b>C</b>  | <b>C</b>  | <b>N</b>  | <b>C</b>  | <b>C</b>  | <b>C</b>  |
| <b>g. Solar Energy System, Accessory</b>                                     | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> | <b>R4</b> |
| <b>h. Solar Farm, Small</b>  | <b>N</b>  | <b>S</b>  | <b>S</b>  | <b>N</b>  | <b>S</b>  | <b>S</b>  | <b>S</b>  | <b>S</b>  | <b>N</b>  | <b>N</b>  | <b>N</b>  | <b>N</b>  |
| <b>i. Solar Farm, Large</b>  | <b>N</b>  | <b>S</b>  | <b>S</b>  | <b>N</b>  | <b>S</b>  | <b>S</b>  | <b>S</b>  | <b>S</b>  | <b>N</b>  | <b>N</b>  | <b>N</b>  | <b>N</b>  |

\* \* \* \*

Footnotes:

\* \* \* \*

4. Reserved Accessory Solar Energy Systems generally require CEO review, except that Site Plan review is required for ground-mounted systems that are accessory to uses other than single and two-family dwellings. See § 5.29.2(c) & (d).

\* \* \* \*

**ARTICLE 3 – CONSTRUCTION OF LANGUAGE AND DEFINITIONS**

\* \* \* \*

**3.2 Definitions**

\* \* \* \*

**Sludge** – Solid, semi-solid, or liquid residual generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant or wet process air pollution control facility; or any other such waste having similar characteristics and effect. The term does not include industrial discharges that are point sources subject to permits under Section 402 of the Federal Water Pollution Act as amended.

**Solar Energy System** - A device or structural design feature for which the primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

**Solar Energy System, Accessory** - A Solar Energy System generating power for on-site consumption or to offset electrical use for on-site accounts shall be considered accessory to the principal use when it is incidental and subordinate to the principal use or structure and located on the same lot. Excess energy may be fed back to the public utility.

**Solar Farm, Large** - A Solar Energy System, roof or ground mounted Photovoltaic Array, which generates electricity for off-site accounts, and has an array area (including panel area and inter-panel space) of 2 acres or more.

**Solar Farm, Small** - A Solar Energy System, roof or ground-mounted Photovoltaic Array, which generates electricity for off-site accounts and has an array area (including panel area and inter-panel space) smaller than 2 acres.

**Spring Water Extraction** – Removal for commercial use of groundwater that comes to the surface under natural hydraulic pressure for at least six months of the year.

\* \* \* \*

**5.29 Solar Energy Systems**

Solar Energy Systems must obtain all applicable permits from the Acton Code Enforcement Officer and the State of Maine.

**5.29.1** Solar Energy Systems generating power for on-site consumption shall be considered Accessory to the Principal Use.

a. Solar Energy Systems, Accessory shall be permitted wherever Accessory Uses are permitted and shall conform to the standards of the applicable districts.

b. The maximum height of a roof-mounted Accessory Solar Energy Generation System shall be the maximum building height set forth in the applicable zoning district(s). The maximum height of a ground-mounted

Accessory Solar Energy Generation System shall be 25 feet, measured from the lowest grade attachment point to the highest point of the facility when oriented at maximum tilt.

c. Ground-mounted Accessory Solar Energy Generation Systems accessory to uses other than single and two-family dwellings are subject to Site Plan Review. Ground-mounted Accessory Solar Energy Generation is not allowed in the Shoreland, Little Ossipee and Resource Protection zones.

**5.29.2** Solar Energy Systems generating power for off-site consumption shall not be considered an Accessory Use, are subject to Site Plan Review, and shall conform to the standards of Solar Farm, Small, or Solar Farm, Large, as listed below.

**a. Application Requirements:**

1. Outside agency permitting must be completed prior to application submission.

2. A fully executed and signed copy of the application for Site Plan Review. The application will be provided by the land use department.

3. Name of the owner and operator of the facility, and the names of the owner of the property.

4. Cover letter describing the project, with details on the size and location of the proposed system and the subject property.

5. Plans (including location of proposed system, identifying the location of the facility on the property and physical dimensions of the system and the property. Location of any public road, private road or right-of-way that is contiguous with the property. Location of overhead utility lines).

6. A decommissioning plan for the removal of the Solar Farm and stabilization of the site at the end of the useful life of the solar photovoltaic (PV) technology. A decommissioning plan shall include details how the owner or operator of record of the Solar Farm will ensure completion of the following tasks:

a. Physical removal of all Solar Energy Generation System components (including solar collectors, mounting hardware, electricity storage equipment, transmission and distribution lines, and related infrastructure), structures, foundations, supports, fencing and security barriers from the site.

b. Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal laws and rules.

c. Re-vegetation and stabilization of the site as necessary to minimize erosion and return the site to substantially its pre-construction state. Native, pollinator-friendly seed mixtures shall be used to re-vegetate areas to the greatest extent practicable.

7. The following submission requirements apply to applications for Large and Small Solar Farms:

a. Written documentation from the Maine Historic Preservation Commission (MHPC) regarding any known or likely historic, prehistoric, or archaeological resources located in or on the subject property within a 100' circumscribed perimeter of the proposed solar facilities.

b. Written documentation from the Maine Natural Areas Program (MNAP) regarding the presence of rare or exemplary natural communities located on the subject property.

c. Written documentation from the Maine Department of Inland Fisheries and Wildlife (MDIFW) regarding known locations of rare, endangered or threatened species and habitats.

d. For Solar Farms that trigger review by the Maine Department of Environmental Protection the applicant shall provide a copy of the Site Law application submitted to MDEP and any permits granted.

**e. Standards:**

1. Minimum Lot Size: 5 acre minimum
2. Maximum Developed Area/Area of Disturbance per Solar Farm: 20 acres
3. Maximum Height for ground-mounted solar facilities: 25 feet, measured from the lowest grade attachment point to the highest point of the facility when oriented at maximum tilt.
4. Minimum Setbacks, Front, Side, and Rear: 75 feet
5. Minimum Road Frontage: 50 feet
6. A sign shall be required to be installed on the property to identify the owner and provide a 24-hour emergency contact phone number.
7. All electrical and control equipment for a ground-mounted Solar Farm shall be labeled and secured to prevent unauthorized access.
8. Solar Farms must maintain a fifty (50) foot wooded buffer at the property's front, side, and rear lot lines. The Planning Board may require additional plantings to create a naturalized vegetated buffer.
9. The applicant or owner of a Large or Small Solar Farm is required to submit grid operator records to the Acton Code Enforcement Officer every six months to demonstrate that the Solar Farm is producing energy for offsite production. Decommissioning and removal of the Solar Farm is required after six (6) consecutive months of no energy generation. The owner or operator shall remove the system in its entirety no later than (12) months after the end of the six-month period of no energy generation.
10. Removal surety required for all Solar Farms. Upon Site Plan approval, and prior to applying for any applicable building permits for a Solar Farm, the applicant shall submit to the Town a surety in the form of a bond to be approved by the Planning Board in the amount of 125% of the estimated removal costs as determined by the Planning Board. If engineering assistance is required for determining the removal costs, this expense will be the responsibility of the applicant. Such costs will account for physical removal of all structures, systems, equipment, security barriers and electrical lines, disposal of all solid and hazardous waste, and stabilization or re-vegetation of the site as necessary to minimize erosion. The surety shall be kept in effect throughout the lifetime of the system, and the amount of the financial surety will be reviewed by the Planning Board or designee every ten (10) years and renewed or adjusted as necessary. At the end of decommissioning provided the site has been fully reclaimed according to state guidelines as enforced by the Acton Code Enforcement Office the surety will be returned.
11. Large and Small Solar Farms shall be located outside of any portions of a property within the Shoreland, Little Ossipee and Resource Protection Districts.
12. Solar Farms must be sited on land with less than a 50% slope.
13. All Solar Farms must meet the standards of DEP Chapter 500 rules for stormwater management and must show that post-development stormwater conditions will not increase the flow above pre-development conditions.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed.

**Motion made by Dennis Long to adopt the article as written; seconded by David Winchell Jr. Motion Carried, Article 7 passed as written.**

**ARTICLE 8:** To see if the Town will vote to amend the Zoning Ordinance relative to Mineral Extractive Industry s as specified below:

## PROPOSED AMENDMENTS TO THE ZONING ORDINANCE RELATIVE TO MINERAL EXTRACTIVE INDUSTRY

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### 5.9.2 Mineral Extractive Industry:

- a) **Permit Required:** Topsoil, rock, ledge, sand, gravel, and similar earth materials may be removed from locations where permitted, only after a Conditional Use Permit for such operations has been issued by the Planning Board in accordance with the provisions of this Ordinance.
- 1) Exception: the removal or transfer of less than one thousand (1000) cubic yards of material from or onto any lot in any twelve (12) month period, (as permitted in the Land Use Chart).
- b) **Earth Moving Not requiring a Conditional Use Permit:** The following earth moving activity shall be allowed without a Conditional Use Permit from the Planning Board:
- 1) The removal or transfer of material incidental to construction, alteration, or repair of a building, or in the grading and landscaping incidental thereto.
  - 2) The removal or transfer of material incidental to construction, alteration, or repair of a public or private way or essential service.
  - 3) Agricultural tillage.

**NOTE:** All other earth moving, processing, and storage shall require a Conditional Use Permit from the Planning Board.

#### c) **Submission Requirements:**

- 1) Applications to the Planning Board for a Conditional Use Permit for the excavation, screening, or storage of soil (including topsoil), peat, loam, sand, gravel, rock, or other mineral deposits, shall be accompanied by eight (8) copies of a plan prepared by a professional Land Surveyor, Registered Engineer or Certified Geologist, according to Planning Board specification, performance standards herein, in compliance with applicable State laws, and accompanied by all required State permits or licenses.
- 2) The applicant shall submit to the Planning Board ~~evidence of right, title or interest in the property, to include the name and address of the owner(s) of the property involved and the York County Registry of Deeds Book and Page number for the property,~~ plans of the proposed extraction site, showing the property lines and names of abutting owners and ways, indicating by not greater than five (5) foot contour intervals, related to U.S. Geodetic Survey data; the location and slope of the grades existing and as proposed upon completion of the extraction operation; detailing proposed fencing, buffer strips, signs, lighting, parking and loading areas, buildings permanent and temporary, entrances and exits together with a written statement of the restoration of the site upon completion of the operation.
- 3) The proposed maximum extent of excavation. Excavations 5 acres or larger in size must include the Maine Department of Environmental Protection Gravel Pit Identification Number.

4) Existing and proposed surface water runoff including all drainage ways.

5) At least one monitoring well will be required per 5-acres within the extraction areas.

6) Operational Plans will include:

1. Access roads construction and maintenance
2. Description of operations, processing, and removal methodology
3. Erosion and Sedimentation Control
4. Reclamation Plan

7) A letter from the Acton Fire Department stating that they will be able to provide emergency services to the property.

8) The following submission requirements apply to applications for Mineral Extractive Industry:

a) Written documentation from the Maine Historic Preservation Commission (MHPC) regarding any known or likely historic, prehistoric, or archaeological resources located in or on the subject property.

b) Written documentation from the Maine Natural Areas Program (MNAP) regarding the presence of rare or exemplary natural communities located on the subject property.

c) Written documentation from the Maine Department of Inland Fisheries and Wildlife (MDIFW) regarding known locations of rare, endangered or threatened species and habitats.

d. Entrance Permit from the Department of Transportation if required.

9) Any applicable Maine Department of Environmental Protection permit(s)

**d) Performance Standards:** No part of any extraction operation, including drainage and runoff control features, shall be permitted within the Shoreland or Resource Protection Districts.

1) No part of any extraction operation shall be permitted within one hundred (100) feet of any property or street line, except the drainage ways to reduce run-off into or from the extraction area may be allowed up to fifty (50) feet of such line. Natural vegetation shall be left and maintained on the undisturbed land.

2) If any standing water accumulates, the site must be fenced in a manner adequate to keep children out. Measures shall be taken to prevent or halt the breeding of harmful insects.

3) Before commencing removal of any earth materials, the owner or operator of the extraction site shall present evidence to the Planning Board of adequate insurance against liability arising from the proposed extraction operations, and such insurance shall be maintained throughout the period of operation. The insurance company must be licensed by the State of Maine as qualified to provide such insurance.

4) Topsoil or loam shall be retained onsite to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the area. Additional topsoil or loam shall be obtained from off-site sources, if necessary, to complete the stabilization project. Any topsoil and subsoil suitable for purposes of vegetation shall, to the extent required for restoration, be stripped from the location of



extraction operations and stockpiled for use in restoring the location after extraction operations have ceased. Such stockpiles shall be protected from erosion.

5) The hours of operation at any extraction site shall be limited as the Planning Board deems advisable to ensure operational compatibility with residents of the Town. There shall be no crushing or screening on Saturdays and Sundays from Memorial Day to Labor Day nor on the 4<sup>th</sup> of July.

6) All access-egress roads leading to and from the extraction site to public ways shall be treated with suitable materials to reduce dust and mud for a distance of at least one hundred (100) feet from such public ways. The applicant shall employ the Maine Department of Environmental Protection Best Management Practices for the Control of Fugitive Emissions (Dust) as approved by the Planning Board. A plan shall be in place to adequately remove any mud or debris from the extraction site which accumulates on any public or private roads.

7) No equipment debris, junk, or other material shall be permitted on an extraction site except those directly related to active extraction operations, and any temporary shelters or temporary buildings erected for operations and equipment used in connection therewith shall be removed within thirty (30) days following completion of active extraction operations.

8) Within twelve (12) months of the completion of extraction operations at any extraction site, which operations shall be deemed complete when less than one hundred (100) cubic yards of material are removed in any consecutive twelve (12) month period, on any one or more locations within any extraction site, ground levels and grades shall be established in accordance with the following:

a) All debris, stumps, boulders, and similar materials shall be removed for disposal in an approved location or shall be buried on site. Only materials generated on-site may be buried on-site.

b) Storm drainage and water courses shall leave the location at the original natural drainage points and in a manner such that the amount of drainage at any point is not significantly increased.

c) The final graded slope shall be two and one-half (2.5) to one (1) slope (horizontal to vertical) or flatter.

d) In keeping with the purposes of this Ordinance, the Planning Board may impose such conditions as are necessary to minimize the adverse impacts associated with mineral extraction operations on surrounding uses and resources.

9) Natural vegetation shall be retained within 100-feet of the property line or street line. The Planning Board may require the applicant to provide screening, a berm, or a combination where the natural buffer is inadequate. A 25-foot natural buffer will be maintained from any wetlands of ¼ acre to 2 acres, as determined by a credentialed professional.

10) The applicant shall submit an erosion and sedimentation control plan using best management practices for erosion and sedimentation control as approved by the Planning Board to ensure that sediment does not leave the property or enter natural resource(s).

11) At least one monitoring well on each 5 acres of unreclaimed land to demonstrate the depth from excavation to the seasonal high-water table. Monitoring wells shall be checked annually by a Professional Licensed Surveyor, Registered Engineer or Certified Geologist between April 1<sup>st</sup> and May 31<sup>st</sup> and a report shall be submitted to the Code Enforcement Office within seven days of measurement stating distance between the excavation and water table.

12) A stormwater management plan shall be submitted as approved by the Department of Environmental Protection for all operational areas of the site that are not internally drained.

13) Biannually within one month of the anniversary date of the approval of Conditional Use, the owner/operator must send the Code Enforcement Office a letter detailing the amount of open acreage. The letter will be based on a licensed surveyor, GPS programming or equivalent technology.

14) The maximum open unvegetated area including yards for processing and material storage is 35 acres.

15) Owner / operators will provide proof of renewed surety for reclamation in the form of a Letter of Credit or Bond on an annual basis to the Code Enforcement Office. The reclamation surety shall be kept in effect throughout the lifetime of the operation until 100% of the reclamation has been completed and signed off on by the Code Enforcement Officer. The amount of the financial surety will be reviewed by the Planning Board or designee every ten (10) years and adjusted as necessary. The sum of financial surety required for the reclamation shall be equivalent to the amount of open acreage approved by the Planning Board. The financial surety will be returned once the site has been fully revegetated and stabilized as enforced by the Code Enforcement Office.

**e. Permit Approval:**

1) All plans and supporting material shall be submitted to the Planning Board for their consideration with respect to the effect of the proposed operation upon existing and foreseeable traffic patterns within the Town, upon existing or approved land uses which may be affected by the operation and implementation of comprehensive plan policies. The Planning Board may obtain the technical assistance of the Soil Conservation Service, Regional Planning Commission, Department of Environmental Protection, or a consulting engineer in the review of the plans, at the expense of the applicant.

2) The Planning Board shall hold a public hearing on the application. The Planning Board shall make findings of fact and render a written decision specifying whether, and under what conditions, the proposed operation shall be permitted. The Planning Board shall require filing with the Town Treasurer a commercial surety bond, a certified check, or a savings account passbook payable to the Town of Acton in such amount, and upon such conditions, as the Planning Board may determine to be adequate to indemnify the Town against any claims arising from the proposed operation and to assure satisfactory performance of all conditions imposed or otherwise applicable.

3) All Permits granted under this section shall expire after three (3) years unless the applicant meets the following conditions:

- a. In the calendar year after the permit is granted and every three years thereafter, the owner/operator shall schedule an inspection with the Town Code Enforcement Officer between April 1 and November 1.
- b. Within thirty (30) days of the inspection, the Town Code Enforcement Officer shall notify the owner/operator in writing of the inspection results including any violations and required remedial actions.
- c. Failure to comply with the remedial actions beginning with a letter of intent as required by the Code Enforcement Officer's report within ninety (90) days from the date thereof. Failure to comply will result in a Stop Work Order until the remedial actions have been completed including payment of all fees and penalties. If the owner/operator does not comply within (1)

year of the date of the Code Enforcement Officer's report, the Conditional Use Permit may be revoked or modified after review and at the discretion of the Planning Board.

- d. Nothing in this section shall be construed to limit inspections by the Town Code Enforcement Officer as necessary to ensure compliance.
- e. Owner / Operators will provide compliance verification with all other outside agencies, State and Federal, within ninety (90) days of issuance.

**4) Existing Operations:** Any operation involving excavation, processing or storage of soil, earth, loam, gravel, rock or other mineral deposits in lawful operation at the time this ordinance becomes effective may continue to operate. Such existing approved operations will schedule within one year of the effective date of this ordinance and every three years thereafter the inspection outlined above with the Code Office.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed.

**Motion made by Dennis Long to adopt the article as written; seconded by Joyce Bakshi. Motion Carried, Article 8 passed as written.**

**ARTICLE 9:** To see if the Town will authorize the Select Board to appropriate and expend monies from the Unassigned Fund Balance for the purchase of equipment or to use as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2023-2024. Expenditures in excess of \$500 shall require advice and recommendation of the Warrant and Finance Committee (Maximum expenditure of \$15,000.00).

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article 9 passed as written.**

**ARTICLE 10:** To see if the Town will vote to authorize the Select Board to dispose of surplus town-owned equipment, with the exception of road equipment, having a value of less than or equal to \$500.00, on such terms and conditions as they deem advisable and to execute any necessary documents to accomplish said purpose. (All equipment having a value of more than \$500.00 shall be put out to public bid). Funds received from such sales shall be placed in the Unassigned Fund Balance.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by David Winchell Jr. Motion Carried, Article Passed.**

**ARTICLE 11:** To see if the Town will authorize the Select Board to sell any tax-acquired property and to issue a quit claim deed for the same, and to put funds received for sales into the Municipal Undesignated Fund. Sale to be by sealed bids or public auction if to other than the owner of record at the time of foreclosure, and no Select Person during the term of his or her office may acquire from the Town any interest in real estate acquired by the Town on account of nonpayment of taxes unless the owner of record at the time of foreclosure was the Select Person or the son, daughter, spouse, or parent of the Select Person. Except that the Municipal Officers shall use the special sale process required by 36 M.R.S §943-C for qualifying

homestead property if they choose to sell it to anyone other than the former owner(s). To further see if the Town will vote to authorize the Select Board, upon request of the Treasurer, to allow the Treasurer to waive foreclosure of a tax lien on a specified property for a specified year with reference to the Tax Lien Certificate recorded in the York County Registry of Deeds, in circumstances where the Select Board determine that foreclosure may encumber the Town. A list of waived foreclosures shall be listed in the Annual Town Report by Map and Lot Number.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (2-3-1) Motion Failed.

**Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article Passed.**

**ARTICLE 12:** To see if the Town will vote to have Real Estate and Personal Property taxes first payment come due on October 17, 2023 and the second payment on April 17, 2024, interest to be charged at 4% on all taxes paid after October 17, 2023 and April 17, 2024 and interest on abated taxes to be paid by the Town at 4% pursuant to 36 M.R.S.A. 506-A, and to authorize the Tax Collector to accept the pre-payment of taxes before the tax commitment with no interest.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by David Winchell Jr.. Motion Carried, Article Passed.**

**ARTICLE 13:** To see if the Town will vote to authorize the Select Board to make application for and execute any documents related to any grant or donation, to accept any such grants or donations or any fees and appropriate such funds for their designated use so long as they do not require matching funds or encumber the Town in any way. The Treasurer shall be notified of any grant applications and a copy shall be kept on file in the Treasurer's Office. To further see if the Town will vote to accept revenues received from MEMA/FEMA claims during the upcoming Fiscal Year into the Emergency Disaster Reserve Fund and to vote to accept any and all funds received from the State of Maine and the Federal Government and appropriate any designated revenues received to their designated use. Said funds are to be appropriated at the discretion of the Select Board to restore budgets of the various departments for expenses incurred during a declared event. The appropriation shall not exceed the expenditures incurred during the declared event.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article Passed.**

**ARTICLE 14:** To see if the Town will vote to carry forward the following fund balances and allow the balance carried forward to be appropriated to the designated department(s) for the ensuing year:

APAT Capital Equipment Fund

Cemetery Committee Funds

Earned Paid Leave Fund

West Shore Drive Bridge and Culvert Capital Improvement Fund

FEMA- Emergency Disaster Reserve Fund  
Forestry and Conservation Committee Funds  
Forestry Reserve Funds  
LRAP Fund  
(Local Road Assistance Program funds are restricted State funds)  
Revaluation Fund

and to carry forward but not appropriate (unless appropriated in other articles) the following fund balances:

Ambulance Reserve Fund  
Capital Improvement Fund  
Dams Capital Improvement Fund  
Fire Dept Capital Vehicle Fund  
Recreation Capital Improvement Fund  
American Rescue Plan Act Funds

All other unexpended fund balances and revenues to lapse into the Unassigned Fund Balance. Lapsed school balances to be designated for school funding only.

***For Informational Purposes Only:*** *The following funds will automatically carry forward and be expensed as necessary: Neighbors Helping Neighbors Fund, Mary Grant Fund, Fuel Assistance Donation Fund, Fire Department Grants-Donations-Scholarships Fund, Lincoln Schoolhouse Donations, MEHAF Grant Funds, Statutory Private Road Association Reserve, Statutory Bridge/Culvert Capital Improvement Reserve, Statutory Town Hall Parking Lot Capital Reserve.*

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article Passed.**

**ARTICLE 15:** To see if the Town will vote to appropriate Fiscal Year 2023-2024 anticipated Municipal Revenues from the categories listed below, and to use funds from the Municipal Unassigned Fund Balance to reduce the amount to be raised by taxation during the tax commitment:

***Revenue Categories:***

Excise tax, interest and penalties, plumbing and building permits, tree growth reimbursement, town animal fees, victualer's licenses, vital records, agent fees, investment earnings, ambulance service fees, recycling returns, and miscellaneous non-restricted State revenue not previously appropriated in other articles.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article Passed.**

**ARTICLE 16:** To see if the Town will vote to raise and appropriate **\$960,753** for wages, operational expenses and employer costs of GENERAL GOVERNMENT and HEALTH & WELFARE.

|   |           |
|---|-----------|
| Wages, Taxes                                    | \$461,600 |
| Benefits for all employees (except Fire-Rescue) | \$190,470 |
| Operational Expenses                            | \$306,617 |
| Health & Welfare                                | \$ 2,066  |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (5-1)

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn.**

**Motion made by Tom McGurty to amend the article to read:**

**ARTICLE 16:** To see if the Town will vote to raise and appropriate **\$960,753** for wages, operational expenses and employer costs of GENERAL GOVERNMENT and HEALTH & WELFARE.

|  |           |
|--|-----------|
| Wages, Taxes   | \$461,600 |
| Benefits for all employees (except Fire-Rescue & Transfer Station) | \$190,470 |
| Operational Expenses   | \$306,617 |
| Health & Welfare   | \$ 2,066  |

**Motion made by Tom McGurty to pass Amended Article 16; seconded by Dennis Long. All in favor. Article 16 passed as written.**

**ARTICLE 17:** To see if the Town will vote to appropriate **\$10,000** from the Unassigned Fund Balance to be placed in the Town Hall Parking Lot Capital Reserve Account.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (5-1)

**Motion made by Dennis Long to adopt the article as written; seconded by David Winchell, Jr. Motion Carried, Article 17 Passed.**

**ARTICLE 18:** To see if the Town will vote to raise and appropriate **\$912,607** for wages and operational expenses of the FIRE-RESCUE DEPARTMENT. (Dept 104-03)

|                      |           |
|----------------------|-----------|
| Wages, Taxes         | \$623,990 |
| Benefits             | \$135,287 |
| Operational Expenses | \$153,330 |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 18 Passed.**

**ARTICLE 19:** To see if the Town will vote to appropriate **\$7,000** from the Unassigned Fund Balance to purchase a new telephone system for the Fire Department.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 19 Passed.

**ARTICLE 20:** To see if the Town will vote to raise and appropriate **\$136,204** for PUBLIC SAFETY to be expended as follows: (Dept 104-01 to 104-40)

|                         |           |
|-------------------------|-----------|
| Street Lights           | \$ 2,280  |
| Animal Control          | \$ 21,018 |
| Communications          | \$ 36,579 |
| Emergency Management    | \$ 4,355  |
| Contract Deputy Service | \$ 71,972 |

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 20 Passed.

**ARTICLE 21:** To see if the Town will vote to pay wages and equipment for repair and maintenance of public ways according to the following schedule: (Rates by the hour)

|   |          |
|---|----------|
| Wages                                       |          |
| Road Commissioners                          | \$ 33.71 |
| Equipment w/operator                        |          |
| Laborer w/no equipment                      | \$ 25.00 |
| Backhoe 2wd                                 | \$ 76.81 |
| Backhoe 4wd                                 | \$ 86.81 |
| Loaders (base rate for 1 yd loader)         | \$ 75.00 |
| Loaders over 1 yard capacity, add           | \$ 22.15 |
| Loader at stockpile (price per yard loaded) | \$ 3.50  |
| Grader GVW 21,000                           | \$107.01 |
| Chainsaw and hand-held power tools          | \$ 37.99 |
| Mowing Tractor w/sickle bar/rake            | \$ 77.01 |
| Mowing Tractor w/boom mower                 | \$114.01 |
| Trucks 1-2 cubic yards                      | \$ 61.01 |
| Trucks 3-4 cubic yards                      | \$ 71.01 |
| Trucks 5-7 cubic yards                      | \$ 81.01 |
| Trucks 12 cubic yards                       | \$ 90.00 |
| Tri Axle                                    | \$ 95.00 |
| Pickup/Service Trucks                       | \$ 60.00 |
| Excavators up to 20,000 lbs                 | \$105.00 |
| Excavators over 20,000 lbs                  | \$115.00 |
| Excavators over 40,000 lbs                  | \$141.66 |
| Multi Use Tractors/Skidsteer                | \$ 88.66 |
| Attachment                                  | \$ 15.00 |
| Winter Road Equipment w/operator            |          |
| 2wd 26,000 GVW+                             | \$ 99.78 |

|                                      |          |
|--------------------------------------|----------|
| 4wd 26,000 GVW +                     | \$117.21 |
| 10 Wheeler                           | \$110.01 |
| 4wd 1 ton up to 12,499 GVW           | \$ 80.38 |
| 4wd 1 ton between 12,500- 25,999 GVW | \$ 85.38 |
| ¾ ton truck                          | \$ 75.61 |
| Trucks w/wing add                    | \$ 5.00  |
| Contractor owned sander 2.5yd        | \$ 7.50  |
| Contractor owned sander 6yd –11yd    | \$ 10.00 |
| Contractor owned sander 12yd+        | \$ 15.00 |
| Sand Screen                          | \$ 43.05 |

In the event that the Road Commissioner is the operator of the equipment, a deduction of **\$33.71** will be taken from the equipment rates listed above

The Town will furnish cutting edges and bolts for equipment used EXCLUSIVELY for winter maintenance on Town of Acton roads.

**Cost of Operations:** The above rates are based on fuel prices up to and including \$5.00 per gallon. The Town of Acton will pay an additional \$1.00/hr for each \$0.25 increase per gallon for equipment utilizing diesel fuel. This will be based on the fuel price at Boonies in Shapleigh on each Sunday. Such price will determine the fuel allowance for the following week’s warrant.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (4-2)

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 21 Passed.**

**ARTICLE 22:** To see if the Town will vote to raise and appropriate \$361,863 to appropriate \$26,054 from State LRAP funds, for the District One Road Department. Said funds to be disbursed after a project list, including line item budgeting, has been presented to the Select Board, to be expended as follows:

|                         |            |
|-------------------------|------------|
| Summer Maintenance:     | \$ 137,917 |
| Paving & Reconstruction | \$ 250,000 |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Joyce Bakshi. Motion Carried, Article 22 Passed.**

**ARTICLE 23:** To see if the Town will vote to raise and appropriate \$366,863, to appropriate \$26,054 from State LRAP funds, for the District Two Road Department. Said funds to be disbursed after a project list, including line item budgeting, has been presented to the Select Board, to be expended as follows:

|                         |            |
|-------------------------|------------|
| Summer Maintenance:     | \$ 137,917 |
| Flatground Road         | \$ 5,000   |
| Paving & Reconstruction | \$ 250,000 |



Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Michael Long. Motion Carried, Article 23 Passed.

**ARTICLE 24:** To see if the Town will vote to raise and appropriate \$409,747 for the District One and District Two Winter Maintenance and Sand/Salt Stockpile.

|                                  |            |
|----------------------------------|------------|
| District One Winter Maintenance  | \$ 126,811 |
| District Two Winter Maintenance: | \$ 126,811 |
| Sand/Salt Stockpile              | \$ 156,125 |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 24 Passed.

**ARTICLE 25:** To see if the Town will vote to raise and appropriate \$21,038 for the Public Works Building/Grounds.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 25 Passed.

**ARTICLE 26:** To see if the Town will vote to establish a Reserve Account called, "Peck Road Reserve Account" and appropriate \$130,500 to reconstruct and pave the portion of Peck Road from Milton Mills Road to the dirt. Any funds remaining in this account after the completion of the repair, no later than 06/30/2025, shall be returned to the Unassigned Fund Balance.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn.

Motion made by Bill Wawrzeniak to amend the article to read:

To see if the Town will vote to establish a Reserve Account called, "Peck Road Reserve Account" and appropriate \$130,500 to reconstruct and pave 3485 feet of Peck Road from Milton Mills Road to the dirt. Any funds remaining in this account after the completion of the repair, no later than 06/30/2025, shall be returned to the Unassigned Fund Balance.

Seconded by Roland Waterhouse. Motion Carried.

Amended article 26 passed.

**ARTICLE 27:** To see if the Town will vote to raise and appropriate \$398,015 for the wages and operation of the TRANSFER STATION.

|                      |           |
|----------------------|-----------|
| Wages, Taxes         | \$123,808 |
| Benefits             | \$ 36,000 |
| Operational Expenses | \$238,207 |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article 27 Passed.

**ARTICLE 28:** To see if the Town will vote to appropriate up to \$60,000 from the Unassigned Fund Balance to hire an engineer to assess the Transfer Station for future land and building improvements.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (2-3-1) Motion Failed

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 28 Passed.

**ARTICLE 29:** To see if the Town will vote to appropriate up to \$10,000 from the Unassigned Fund Balance for the purchase of two storage containers to be used at the Transfer Station.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 29 Passed.

**ARTICLE 30:** To see if the Town will vote to raise and appropriate \$1,210 for PLANNING & DEVELOPMENT to be expended as Forester's Stipend.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 30 Passed.

**ARTICLE 31:** To see if the Town will vote to raise and appropriate \$3,000 for the CEMETERY COMMITTEE for maintenance, placement of flags, markers, and repair of Veteran's graves.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 31 Passed.

**ARTICLE 32:** To see if the Town will vote to raise and appropriate \$10,000 to be placed in the Cemetery Capital Account.

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (4-2)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 32 Passed.

**ARTICLE 33:** To see if the Town will vote to raise and appropriate \$93,811 for the following agencies:

|   |             |
|---|-------------|
| Acton Public Library                                  | \$30,334.00 |
| Acton-Shapleigh Youth Conservation Corps              | \$23,100.00 |
| Acton-Wakefield Watershed Alliance                    | \$20,000.00 |
| Acton Ecumenical Food Pantry                          | \$ 2,500.00 |
| Acton - Shapleigh Historical Society                  | \$ 2,000.00 |
| Great East Lake Improvement Association               | \$ 2,000.00 |
| Balch Lake Improvement Association                    | \$ 2,000.00 |
| Cornerstone Visiting Nurses                           | \$ 1,958.00 |
| York County Community Action                          | \$ 1,600.00 |
| Southern Maine Agency on Aging                        | \$ 1,500.00 |
| York County Shelter Program                           | \$ 1,500.00 |
| Southern Maine Veterans Memorial Cemetery Association | \$ 1,500.00 |
| Caring Unlimited                                      | \$ 801.00   |
| Saco River Corridor                                   | \$ 750.00   |
| Lifelight   | \$ 668.00   |
| American Red Cross                                    | \$ 500.00   |
| Kids Free to Grow                                     | \$ 500.00   |
| Trafton Center  | \$ 500.00   |
| Maine Public Broadcast                                | \$ 100.00   |

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (5-1)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 33 Passed.

**ARTICLE 34:** To see if the Town will vote to raise and appropriate \$12,350 for Dam expenditures:

|   |             |
|---|-------------|
| Mousam Watershed Dam Coalition Annual Maintenance | \$ 6,600.00 |
| Balch Lake Dam Operator Stipend                   | \$ 5,750.00 |

Select Board Recommend: Approve the Article As Written (3-0)

Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article 34 Passed.

**ARTICLE 35:** To see if the Town will vote to raise and appropriate \$21,087, and appropriate and additional \$27,000 from FY23 Franchise Fee Revenues for the wages and operational expenses of the ACTON PUBLIC ACCESS TV and to carry over any unused funds to an APAT Capital Equipment Fund.

|                      |          |
|----------------------|----------|
| Wages, Taxes         | \$44,487 |
| Operational Expenses | \$ 3,600 |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 35 Passed.

**ARTICLE 36:** To see if the Town will vote to raise and appropriate \$43,165 and appropriate \$3,100 from revenues received, for operation of the RECREATION DEPARTMENT, and to carry forward any unexpended funds and excess revenue into the Recreation Capital Improvement Fund.

|                        |          |
|------------------------|----------|
| Wages, Taxes           | \$14,695 |
| Maint.& Repair         | \$ 7,920 |
| Misc. Program Expenses | \$23,650 |

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Elias Thomas. Motion Carried, Article 36 Passed.

**ARTICLE 37:** To see if the Town will vote to appropriate \$40,000 from the Unassigned Fund Balance to purchase a Shed and Playground equipment for the Recreation field.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (0-6) Motion Failed

Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 37 Passed.

**ARTICLE 38:** To see if the Town will vote to appropriate all the funds received from the State from snowmobile registration revenue to local Snowmobile Clubs for maintaining their snowmobile trails, on condition that those trails are to be open to the public for outdoor recreation purposes at no charge.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse Motion Carried, Article 38 Passed.

**ARTICLE 39:** To see if the Town will vote to appropriate \$20,000 from the Unassigned Fund Balance to do road assessment work.

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (2-4) Motion Failed.

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 39 Passed.**

**ARTICLE 40:** To see if the Town will appropriate \$25,530 from American Rescue Plan Act Funds, to be placed in the "West Shore Drive Bridge and Culvert Capital Improvement Fund"?

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Rollin Waterhouse. Motion Carried, Article 40 Passed.**

**ARTICLE 41:** To see if the Town will appropriate \$75,000 from the Town's Unassigned Fund Balance to be placed in the School's Capital Repairs Reserve Fund?

Select Board Recommend: Approve the Article As Written (3-0)  
Warrant and Finance Recommend: Approve the Article As Written (6-0)

**Motion made by Dennis Long to adopt the article as written; seconded by Kim Stacey-Horn. Motion Carried, Article 41 Passed.**

At the conclusion of the Town Meeting, the meeting will be recessed until **Tuesday, June 13, 2023 at which time the polls will open at 8:00am and remain open until 8:00pm** to act on the remaining articles:

**ARTICLE 42:** To elect by secret ballot: two (2) Select Persons, Assessor and Overseer of the Poor for a three-year term. *Term 6/2023-6/2026*

**ARTICLE 43:** To elect by secret ballot: two (2) members of the School Committee for a three-year term each. *Term 6/2023-6/2026*

Town of Acton Select Board

ss/Tom McGurty, Chairman  
ss/David Winchell Jr.

ss/  
Kim Stacey-Horn

Dated this 17th day of May 2023.