

**TOWN OF ACTON SELECT BOARD MEETING**  
**October 4, 2023**  
**6:00pm**

**1. CALL MEETING TO ORDER / PLEDGE OF ALLEGIANCE**

**Winchell, Jr. called the meeting to order.**

**2. WARRANTS/BILLS**

**Signed**

**3. APPROVAL OF AGENDA**

**Walsh made a motion to approve the agenda; seconded by Norwood. All in favor. Motion carried.**

**4. MINUTES OF LAST MEETING**

**Norwood made a motion to approve the minutes from September 20; seconded by Walsh. All in favor. Motion carried.**

**5. TOWN ADMINISTRATOR WEEKLY UPDATE**

Sebago Tech will be returning to the Transfer Station to complete the survey process on Friday, October 6, between 8:00-8:30am. McGurty questioned the next steps. Roux indicated they will begin drafting layouts and submitting plans per their recommendations.

Roux advised the Mousam Watershed has submitted emails regarding an upcoming meeting. Acton has 3 active members: McGurty, Lee and Adele have appointments through June 2024. McGurty requested an accounting of the funds that the towns contributed to last year: Alex, the facilities director in Sanford, responded indicating that there was a surplus the last two years and a deficit the year prior. McGurty indicated that Sanford is not authorized to incur a deficit and Sanford is responsible for managing the fund. Also indicating that Acton will not take responsibility for that. Regarding the surplus, McGurty indicated he wants the surplus to be applied towards Acton's contribution to lower the budget and he will be addressing this at the upcoming meeting. Winchell, Jr. confirmed that this has been a concern that the Warrant and Finance Committee have raised over the last couple of years. McGurty continued, indicating he may go back further and request a list of expenditures.

Roux addressed the Maine Municipal visit with the insurance company that took place the previous week. A few buildings were inspected (Sand/Salt Building, Transfer Station, Recreation Field, Blueberry Hill, Municipal Building) and some concerns were noted.

Rec Food Building and Blueberry Hill Tower had immediate concerns that were noted, the report is still pending for full details on the inspection. McGurty questioned who was responsible for upkeep. Roux notified all parties in advance of the inspection in advance. The inspector will follow up within two weeks for the reinspection of the two locations.

Roux reviewed the Sheriff's Department Log for September:

Domestic disturbance on Flat Ground Road with an arrest

Motorcycle crash on Emery Mills Road in Shapleigh – charges pressed for driving to endanger, leaving the scene, and operating without a license.

Vehicle rollover on Emery Mills Road on Shapleigh/Sanford line – alcohol involved.

Burglary at camp on Mann Road – two squatters fled the scene.

Stolen vehicle last seen parked on Back Road on private property – recovered in Biddeford, transient was found in possession of vehicle.

Theft on Back Road in Shapleigh - \$6,000 stolen from safe

Apple Valley Campground – domestic disturbance

Unattended death at Pine Springs - 82-year-old male

Vehicle rollover on Hopper Road in Acton – charged with OUI.

Arrest made for a Class B Warrant – resident on Milton Mills Road

Arrest for domestic violence on Acton Ridge Road – individual had 2 outstanding warrants.

Ongoing – sexual assault kit in Beverley Massachusetts matched kit from Acton

12-year-old juvenile sexually abused by family member in Shapleigh

McGurty requested response times for calls to the Sheriff’s Department.

## **6. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES**

### **A. Robin Ham, Transfer Station**

Ham announced that the guy that chips brush has started work at the Transfer Station: Hutchins, located outside of Farmington. He should be finishing up on Friday. Roux questioned expenditures for the project. Ham advised he was quoted at \$7,000 last year. Winchell, Jr. asked if the quote was updated recently: Ham indicated no. Roux questioned if workers compensation and insurance have been received. Ham advised he will need to verify that Burgess has received these items. Ham provided the fax to Hutchins to submit the paperwork.

### **B. Dan Krampetz, Mary Grant Committee**

Krampetz announced the annual pumpkin carving event is scheduled for Saturday, October 21, from 1-3pm. They have a commitment of 50 pumpkins and are looking for an additional 50 pumpkins. The committee is requesting a notice on the town sign for the event if possible and for the event to be posted on the website and in the weekly newsletter. The Board approved the request.

Krampetz followed up on a request made previously to post the newsletter on Facebook and other online platforms. McGurty suggested if comments can be turned off, posting the link on Facebook would be okay. The Board agreed.

## **7. LIAISON UPDATES**

Norwood exchanged communications with the School Board to set up a meeting with the Select Board.

Walsh was at the Transfer Station last week when Sebago Tech was there for their initial survey and discussed some potential changes with Robin and Sebago Tech.

Walsh also met with the Fire Chief regarding the condition of the Blueberry Hill Tower: indicating he will have an update on this soon.

McGurty has spoken with Mark Roy at the new accounting firm and things are going well. He spoke of his plans for producing financials for the town and will be preparing a profit / loss statement as well for review.

The Cemetery Committee has not yet met but will be meeting in October.

The Warrant and Finance Committee has also not yet met and will be meeting on October 23.

## 8. OLD BUSINESS

### A. Road Invoices / Timesheets

McGurty reminded of the discussion regarding Road Invoices and Timesheets. He would like to continue to see a spreadsheet/excel for each project, to confirm the cost for each project. Going on to clarify that one bill submission is fine for the week if there is an excel spreadsheet for each project that was included in that week's bill.

## 9. NEW BUSINESS

### A. West Shore Drive Property Owner Agreement Extension

Roux advised the original agreement was in place September 1 through October 15: however, an extension was needed. The Town notified the property owners of the requested extension and property owners agreed, so the town had its attorney create an addendum to change the dates to October 2 through November 2. The property owners at West Shore Drive have reviewed and are fine with the addendum.

**McGurty made a motion to extend the agreement for the West Shore Drive access Road for the Culvert replacement through November 2; seconded by Walsh. All in favor. Motion signed.**

### B. Article 43

#### a. Tattle Street

Ward, Road Committee Chair: An application was submitted for Tattle Street. A site visit was completed on September 28. Tattle Street is a great example of Article 43 working well, allowing work to be completed to mitigate run off into the lake. The plunge pool and culvert cannot handle the current run off; the project would add a new culvert – side by side – clean out and extend plunge pool to allow more gathering of water. The Committee made a unanimous decision to approve the application. The request is \$4,610: \$3,000 would be the approved amount.

Norwood requested to table to review.

#### b. Langley Shore Drive

Walsh reviewed Langley Shore Drive with Ward and a few other Road Committee members. This is pending receipt of a bill for payment. This has already been approved. Walsh requested Ward that he be notified of site visits in advance.

Additional questions arose regarding payment: should payment be made in advance or after work being completed.

Adele Scritchfield, Tattle Street Road Association, indicated Tattle Street has received payment in advance. Some associations may not be able to complete work without the Article 43 funds in advance. Roux advised that previously, the auditors have questioned how the town is proving work has been done if we are paying in advance. Due to this, payment is made after the work is completed. A Management letter was sent indicating how to proceed. Roux will confirm the letter and how to proceed with payment: which will apply to all Article 43 payments.

#### C. Sand Bids

Roux opened Sand Bids:

- Landscapers Depot - \$13.25
- Seth McCoy Trucking - \$13.75
- Curtis Earthworks - \$14.00
- Milton Mason, LLC. - \$9.95
- Toby Earth Materials and Excavation - \$15.25

Road Commissioners to review Sand Bids – Tabled

#### D. Pepin Land Donation

Roux confirmed several months ago this came forward. Winchell, Jr. advised that there is a pit on H Road owned by Pepin. Pepin came to the Town indicating a desire to donate a large section of property to the Town. Winchell, Jr. indicated the property was initially offered to Three Rivers – they declined. The Town wouldn't be able to use the land as it is in tree growth. McGurty continued that this was also discussed at a Planning Board meeting. McGurty suggested a set of standards for accepting property.

**McGurty made a motion to deny request for property donation from Pepin; seconded by Walsh. All in favor. Motion carried.**

#### B. Executive Session 405 6 E – Legal Counsel

**Walsh made a motion to go into Executive Session 405 6 E – Legal Counsel at 6:59pm; seconded by Norwood. All in favor. Motion carried.**

**Walsh made a motion to come out of Executive Session 405 6 E – Legal Counsel at 7:05pm; seconded by Norwood. All in favor. Motion carried.**

Walsh advised the Town has spoken with Legal Counsel regarding Inland Fisheries and Wildlife; everything has been straightened out. The Town will follow all guidelines set forth between IFW and the Towns' contractor.

**Walsh made a motion that the Town and Contractor will abide by the IFW guidelines set forth; seconded by McGurty. All in favor. Motion carried.**

## 10. PUBLIC COMMENT

Dennis Long wants to thank the Select Board for Article 43 changes that were put through the State recently. McGurty would like to see the new law and what the requirements are in the town. Long

indicated he went to the Road Committee meeting and the Road Committee will be reviewing the changes to bring to the Select Board.

Cindy Hart shared that on November 1 there is a conference in Saco on Roadway Fundamentals hosted by the DOT local road center: it is suggested that Select Board Members, Warrant and Finance Member, Commissioners, Road Committee Members, should attend. It is a full day class offering 6-credit hours with 44 seats. Hart, Berlin, and Ward are attending.

Norwood advised that October is Domestic Violence Awareness month. The Town works with Caring Unlimited and support is provided locally to Acton residents.

Norwood also indicated that the Acton PTG is hosting a Trunk-or-Treat and collecting donations – boxes are located at the Town Hall, Fire Department, Transfer Station, and additional locations.

McGurty wants to address placement of moorings in waterways within the town – there are currently no ordinances within the Town. It would be helpful to clarify who can place moorings and where they can be placed. This should be researched by legal counsel to see what parameters the town could consider.

**11. PENDING**

- A. Speed Trailer / Boxes
- B. Sand Bids

**12. ANNOUNCEMENTS**

On Website

**Walsh made a motion to adjourn the meeting; seconded by Norwood. All in favor. Motion carried.**

**13. MEMBERS PRESENT: Select Board Members David Winchell, Jr., Tom McGurty, Ed Walsh, and Daniel Norwood, and Town Administrator, Jennifer Roux**

**14. ATTENDANCE: Robin Ham, Adam Doliber, Will Langley, Dan Krampetz, Robin Ham, Adele Scritchfield, Jay Ward, Dennis Long, Cindy Hart, Lee Robator**