

**TOWN OF ACTON SELECT BOARD MEETING**  
**January 3, 2024**  
**6:00pm**

**MINUTES – PENDING APPROVAL**

**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 McGurty. All in favor. Motion carried.**

**4. MINUTES OF LAST MEETING**

**Winchell, Jr. made a motion to approve the minutes of the December 20, 2023, meeting; seconded by McGurty. All in favor. Motion carried.**

**5. TOWN ADMINISTRATOR WEEKLY UPDATE**

The Town Report is almost complete: we are waiting for a report to be pulled from the audit for the report and the short form audit. Next week we will have a copy for review. We are currently ahead of schedule.

Roux received an email from the Fire Chief indicating the pump has arrived for Engine Two and the truck is in the shop for work to be completed.

Sheriff's Report for December:

December 2 - Vehicle stopped on Cross Road – The driver failed to indicate the presence of a concealed, unloaded firearm and was charged.

December 5 – Hopper Road in Acton, a report of a motor vehicle in a tree – the occupants fled the scene but were later found.

December 9 – Report of a theft at Willy's Ale Room – the Owner reported 2 suspects stole a leaf blower out of a customer's vehicle. The suspects were identified, and the leaf blower was returned.

December 10 – Deering Ridge Road in Shapleigh – a motor vehicle backed into a mobile home: the suspect was charged with an OUI.

December 11 – An investigation of a Hit and Run on I95 in Biddeford – the individual was a resident of Milton Mills Road – when the police arrived the individual was intoxicated and confrontational.

December 11 – East Shore Drive – Mental health call – a youth in crisis attempted to set house on fire. The fire was extinguished, and a crisis team was on scene.

December 18 – Flat Ground Road – an intruder was looking for an individual and was in the wrong home and assaulted the resident – this was shared during public comment last week.

December 24 – investigation of a skydiver who under deployed their parachute, game wardens, and air traffic control were notified, and the skydiver has not been located.

December 26 – Orchard Road – report of a stolen vehicle – the vehicle was found later on Godding Road. Investigation continues.

December 26 – Pine Springs in Shapleigh – investigation of criminal mischief – a vehicle pushed the school bus shelter off its footing at the end of the road and ran over a mailbox. This matches similar criminal mischief going on in the area – investigation is ongoing.

December 30 – Loon Lane, Shapleigh – 64-year-old male found deceased. He was battling cancer, and his death is not considered suspicious.

December 30 – Nason Road – Report of a burglary in progress. The resident was viewing live cameras in her home and witnessed 2 individuals. Officials responded and found the house empty.

December 31 – Back Road – Shapleigh – domestic disturbance

December 31 – Acton Ridge Road – fight in the street between several people – upon arrival nearly everyone left, and no charges were filed. Parties appeared intoxicated and arrests were made.

December 31 – Pine Springs in Shapleigh – disorderly conduct warnings issued for two brothers fighting, both were on probation.

An RFP is out for the teardown of the gym/old Fire House: we have had a good response and contractors are coming down to inspect the building. Roux extended thanks to Jason Sevigny, who is helping meet the contractors and answering questions. Roux has reached out to the library and recreation department to remove any items from the building. Once the building is cleaned out, Roux and McGurty discussed bids for any left-over items/equipment in the building that residents may want. There is some gym equipment/mirrors/etc. that residents have inquired about. Roux will draft a bid request.

Roux confirmed a meeting with Walsh and the property owner of Blueberry Hill Thursday evening and will provide an update at the next meeting.

Roux spoke with the EMA Director, and he will establish a plan to present to the Board. McGurty would like to have a debrief on the recent weather occurrence and power outage and decide if the town was satisfied with the response and if not, what can we do differently.

Roux expressed thanks to a local business, Mousam Valley Tech, who stepped in to assist property owners whose furnace went out. They immediately went out to assist and within an hour the resident reached back out to Roux to express gratitude. Roux announced how happy she is to have businesses like this in Acton.

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

N/A

## **7. LIAISON UPDATES**

McGurty: Municipal Management / Warrant & Finance, APAT, Cemetery

McGurty advised of a need to withdraw money from an investment account in the amount of \$750,000 at the end of December, first of January into the checking account due to some large warrants with the school department. We still have over \$4 million invested and held with TD Bank and over \$1 million in our checking accounts. Things are working as planned. The Town is able to access cash as we need it.

The Town has received the final draft of the audit and McGurty has had a chance to review and make corrections. We are waiting for the school to finalize their report as the school's financials are incorporated within the Towns.

We ended the year with \$5,948,000 in cash compared to last year's ending of \$6,183,000. The town did have significant withdrawals from our Reserves for various purposes throughout the year.

Our total fund balances for the town and school amount to \$5,220,000 (Reserves – undesignated and/or capital/special purpose/etc.).

The town had a surplus over the proposed budget of \$573,000.

There is a schedule in the audit that lists the town revenue and expense accounts. Revenue had a surplus to budget of \$165,000 (most of which came from real estate and motor vehicle excise taxes); Expenses had a surplus to budget of \$408,000. The surplus came from Land Use, Municipal Management, Fire and Rescue, Public Works, and other various accounts.

McGurty has also put together a schedule of reserve accounts to be released after the Audit Report is available.

Roux questioned if the documents put together by McGurty would be available to post for the residents, as they are easier to review verses looking through the audit for this specific information. McGurty indicated once reviewed by the Auditor, they can be made available.

Lee Robator – questioned if the town will receive a management letter from the auditors. McGurty confirmed.

McGurty continued indicating the APAT budget will be reviewed in the next week and the Cemetery Committee will be meeting soon.

Walsh: Fire Department, Transfer Station, Lincoln School

Walsh has been working with the Fire Department and Transfer Station regarding the completion of budgets. Walsh is also waiting for numbers for Lincoln School.

Norwood: School Department, Conservation / Forest, Mary Grant

School Department – Norwood will be attending the upcoming meeting. The Budget is currently pending.

Conservation and Forest will be meeting next Tuesday. Roux advised Joe Ruma still needs to be sworn in prior to the meeting.

Mary Grant will be meeting on January 20, 2024

Winchell: Roads & Road Committee, Recreation Committee

Winchell, Jr. met with Langley and Berlin to review the budget.

Recreation meeting at 5pm tomorrow and will complete the meeting with the budget/liaison meeting.

## **8. OLD BUSINESS**

### **A. Engineering Project Updates**

Roux reached out to Chris Taylor to confirm the status of the three projects:

Transfer Station:

A meeting was held with DEP at the Transfer Station on December 14: Walsh attended the meeting and can provide a summary of the meeting. Roux read the following email from Taylor:

DEP provided copies of the existing solid waste permit and amendments with the maps – the maps show the approximate area of the landfill which provides better direction of where the work can and cannot be performed. Taylor continued that they are only authorized for the schematic design and are waiting for feedback on the concept plan.

Walsh advised after the last presentation from Taylor, he, Winchell, Jr., Ham and Hydeck, meet and came up with a plan which was then presented to Taylor at the meeting on December 12. Roux questioned if a copy of the proposed plan is available for the Board to review. Walsh confirmed an updated concept was provided. Roux will reach out to Taylor to provide feedback per this discussion.

Recreation Field:

Taylor had a call with Winchell, Jr. on December 5. Winchell, Jr. indicated the town wanted to proceed with the survey and the wetland delineation for the parking lot expansion: attached is a proposal that was previously provided with the services listed as additional services. Winchell, Jr., indicated he was interested in having a surveyor determine the property lines along Route 109 and the northernly property line in the area of the parking expansion. Taylor advised a boundary determination was excluded from the scope of survey services. The estimated budget would increase from \$6,500 to \$7,500 if the boundary determination was added. An amendment was added if the Town decides to proceed.

Winchell, Jr. indicated there are two issues to be addressed: we want to maximize the size of the parking lot and the State is going to be taking some property.

**McGurty made a motion to increase the Sebago Technics contract amount by \$1,000 to complete the appropriate surveying; seconded by Walsh. All in favor. Motion carried.**

Road Assessment:

Roux will forward an email with a draft of the pavement condition map. Every road is color coded, to determine the condition of each road.

## **9. NEW BUSINESS**

### **A. Executive Session 405 6.A – 1 Personnel Issue**

**Norwood made a motion to go into Executive Session 405 6.A.-1 Personnel Issue; seconded by McGurty. All in favor. Motion carried.**

**Norwood made a motion to come out of Executive Session 405 6.A.-1 Personnel Issue at 719pm; seconded by Walsh. All in favor. Motion carried.**

Winchell, Jr. addressed the discussion. McGurty indicated will review when we begin discussion of the budget.

### **B. Budget**

#### **1. Municipal Management Budget**

Kelly Burgess, Treasurer, presented the Municipal Management Budget: Winchell, Jr. questioned if this would be available to view. McGurty confirmed his will also be posted.

McGurty addressed accounting and auditing for the Town. In previous years the Town has relied on the Auditor to perform accounting services: last year, it wasn't until April that the Town saw a set of financial reports (ten

months into the year), and we didn't have the ability to complete a profit and loss statement. This is not unusual compared to other towns. The Town decided to engage Talbot, Royer, Berry, and Mark Roy in July. Roy sent a letter indicating that the firm will no longer be providing municipal services, and by March 2024, the municipal services will be discontinued. Roy was handling accounts payable and with the recent changes those will go back to the Treasurer effective December 31.

During the Executive Session, the Board discussed options for higher level accounting services: operating budget work, forecasting, capital planning, as well as assisting with financial issues within the town. McGurty has researched other firms to step into this role but didn't find anyone he believed could do so: and suggested creating a Director of Finance position within the town.

**McGurty made a motion to create a Director of Finance position and begin a search for this position; seconded by Walsh.**

Public comment:

Nancy Ruma questioned if this was something a Town Manager would normally do. McGurty advised this would not fall under the Town Manager.

Lee Robator indicated that he felt Mark Roy did a great job and hopes that what the Board is recommending will provide a continuance of what Mark Roy was doing.

**All in favor. Motion carried.**

Burgess continued review of the Municipal Management Budget.

## 2. Budget Timeline

Roux advised of the updated timeline: next Wednesday, the Fire Department, Transfer Station and APAT will present their budgets.

On January 17, the Recreation Department and Zoning Articles.

On January 24, Roads and other miscellaneous committees will present their budgets.

Budgets are due on December 31 to prepare the Warrant. We are pending a few budgets. The Warrant needs to be turned over to Warrant and Finance by February 1. They will then be presented to the Select Board on February 21 with the Warrant and Finance Committee recommendations, to be voted on and ready for the Annual Town Meeting.

Winchell, Jr. indicated the initial budget presentations with a Warrant and Finance Liaison and Select Board Liaison are aiding in expediting the process and everyone is included in what is being presented.

Roux continued that special requests have been sent in advance via email and will be presented at the presentations to the Board.

Lee Robator questioned if Mark Roy used his own accounting software and if so, has the town put in the budget to update accounting software requirements. Roux advised the town's current software has not been dissolved.

## C. York County Sheriff Special Detail Update

Roux provided a spreadsheet of the traffic detail outcomes:

The three, four-hour, details cost \$1020 (\$340/detail).

December 12 – 8 stops total - 3 speeding citations, 5 warnings, 2 other violations.

December 24 – 13 stops total – 5 speeding citations, 3 other violations, 5 warnings.

December 27 – 12 stops total – 7 speeding citations, 3 other violations, 2 warnings.

McGurty expressed satisfaction with the traffic details and questioned if there was availability in the budget to continue these details. Roux advised there is not room in the deputy line, but in other line items in the budget to continue this. McGurty suggested holding more traffic details throughout the year and authorizing Roux to make these accommodations as she sees fit. Winchell, Jr. questioned how many the town could manage. Roux indicated the town should be able to appropriate \$5,000. Norwood agreed that this would be beneficial to the town and will address the needs that residents have brought to the town's attention.

**McGurty made a motion to ask the Town Administrator to develop and execute a plan for continuous engagement of the Sheriff to provide ongoing special details for traffic management; seconded by Norwood. All in favor. Motion carried.**

D. Updated Mileage Rate

Roux indicated that effective January 1, 2024, the IRS has increased the mileage rate to \$0.67/mile.

**McGurty made a motion to increase the mileage rate to \$0.67/mile; seconded by Walsh. All in favor. Motion carried.**

E. Debit Card Request – Rec. Cheer

The Recreation Committee would like to order cheering mats, \$160/mat, for seven mats. Winchell, Jr. questioned that funds have already been approved. Roux advised that there is a line item, however, the debit card purchase is over \$1,000 and requires approval. The price for the mats is \$1,120, shipping is \$676 and \$49 processing fee: bringing the total to \$1,845.99. Winchell, Jr. questioned if mats were quoted elsewhere. Roux asked if cheaper freight was available (as Roux didn't support the freight) and was told the mats would be more expensive. Roux questioned the Board, per the policy this is a purchase over \$1,000, and should more quotes be provided. Winchell, Jr. indicated we need more quotes per policy. Walsh agreed.

**10. PUBLIC COMMENT**

N/A

**11. PENDING**

- A. Speed Trailer 01/10/2024
- B. Mooring Ordinance
- C. Old Fire Station RFP - 01/24/2024
- D. Meeting Hall / Kitchen Upgrade

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

**12. ANNOUNCEMENTS**

On Website

**13. MEMBERS PRESENT: David Winchell, Jr., Tom McGurty, Ed Walsh, Daniel Norwood, Jennifer Roux**

**14. ATTENDANCE: Kelly Burgess, Lee Robator, Mary Ann Robator, Nancy Ruma, Dennis Long**