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Town of Acton Maine Annual Meeting Minutes 2011

Acton Board of Selectpersons

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**TOWN OF ACTON
WARRANT
TO
ROBERT ANDERSON**

**A CONSTABLE IN THE TOWN OF ACTON
YORK, SS**

GREETINGS: In the name of the State of Maine you are hereby requested 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 **Tuesday, June 7, 2011 at 8 o'clock in the morning** to act on the following articles, to wit:

ARTICLE 1: To choose a moderator for said meeting.

Larissa Crockett nominated Lorraine Yeaton as moderator; seconded by Mike Conway. No other nominations were heard. Lorraine Yeaton was elected moderator by written secret ballot. Lorraine Yeaton nominated three Deputy Moderators; Carl Litchfield from 8am – 2pm, Peg Anthony from 2pm – closing of the polls and Richard Nass for the Annual Town meeting on Saturday, June 11th, 2011. All Deputy Moderators were duly sworn in.

ARTICLE 2: To elect by secret ballot: One Selectman, Assessor and Overseer of the Poor for three years; Two members of the School Committee for three years; and one member of the School Committee for one year.

254 VOTES CAST

Selectman, Assessor, Overseer of the Poor (3 year Term) – Vote for One

<u>204</u>	<u>Shields, William R. - Elected</u>
23	Various Write-Ins
27	Blanks

School Committee Member (1 year Term) – Vote for One

<u>165</u>	<u>Mann, Elizabeth - Elected</u>
74	Perks, Kevin
15	Various Write-Ins/Blanks

School Committee Member (3 year term) – Vote for Two

<u>124</u>	<u>Michaud, Richard A. - Elected</u>
109	Pettis, Diana L.
<u>166</u>	<u>Shain, Judith K.- Elected</u>
109	Various Write-Ins/Blanks

The polls for election of officers will open immediately after the election of a Moderator and will remain open until eight o'clock in the evening. After the closing of the polls, the meeting will be recessed until **Saturday, June 11, at nine o'clock in the morning**, when action on the remaining articles will begin at the Acton Elementary School.

ARTICLE 3: To choose three (3) members of the Warrant and Finance Committee for a two year period. James Driscoll, Karl Hodgdon and Roger Roy's terms have expired.

Nominated Were:

Tom Chase - 65 Votes

Mark Lowell – 58 Votes

Jim Driscoll - Declined Nomination

Dennis Long – 51 Votes

Richard Weymouth – 55 Votes

Tom Chase, Mark Lowell and Richard Weymouth were elected by written secret ballot.

ARTICLE 4: To choose three (3) members of the standing Town Road Committee for two years. David Langley, Pam MacAlinden, and Karl Hodgdon's terms have expired.

Nominated Were:

Cindy Hart – 3 Votes

David Langley – 3 Votes

Richard Neal – 3 Votes

Cindy Hart, David Langley and Richard Neal were elected by written secret ballot.

ARTICLE 5: To choose two members to the Town Forest Committee for three years. Frank Verock and John Moore's terms have expired.

Nominated Were:

Frank Verock – 5 Votes

Bill Maloney - 5 Votes

Frank Verock and Bill Maloney were elected by written secret ballot.

ARTICLE 6: To see if the Town will vote to raise and appropriate \$25,000.00 to replace a portion of the gym roof at the Acton Elementary School.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 7: To see if the Town will vote to raise and appropriate \$25,000.00 to replace the communications system at the Acton Elementary School.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 8: Does the Town wish for the Select Board to pursue a termination of interest in Covewood Drive through the process of discontinuance?

Select Board Recommends: Approval of the Article as Written, 2 – 1 (Crockett Opposed)

Warrant and Finance Committee Recommends: Support of Pursuit of Termination

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Larissa Crockett made a motion to vote on Article 8 by written secret ballot; seconded by Jim Driscoll. Deputy Moderator Richard Nass required a physical count to determine whether or not a majority was reached to change the method of voting as motioned. 46 YES 50 NO. The motion to vote on Article 8 by written secret ballot failed. A vote on the original article, to adopt the article as written, was taken, motion failed. Article 8 failed.

ARTICLE 9: To see if the Town will authorize the Select Board to appropriate and expend monies from the undesignated fund balance, with the advice of the Warrant and Finance Committee, for the purchase of equipment or to use as they deem advisable to meet unanticipated expenses and emergencies that occur during fiscal year 2012. (Maximum expenditure to be no more than \$15,000.00.)

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 10: To see if the Town will vote to authorize the Select Board to reimburse the members of the Acton Fire and Rescue, from the undesignated fund balance, for any National Disaster or State of Emergency, or other fire emergency that exceeds 8 hours in duration, at the same rates as established for the highway department. Firefighters and Rescue members will be compensated in the same manner as laborers, and the Fire Chief will be compensated in the same manner as the Road Commissioners.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 11: To see if the Town will vote to authorize the Select Board to dispose of surplus town-owned 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 value shall be put out to public bid.)

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 12: 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. Sale to be by sealed bids or public auction if to other than the owner of record at the time of foreclosure, and no selectman 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 selectman or the son, daughter, spouse, or parent of the selectman.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 13: To 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 it is in the best interest of the Town of Acton to waive foreclosure.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 14: To see if the Town will vote to have Real Estate and Personal Property taxes first payment come due on Tuesday, October 18, 2011 and the second payment on Tuesday, April 17, 2012.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 15: To see what interest the Town will vote to charge on all taxes after October 18, 2011 and April 17, 2012. Maximum rate of interest allowed is 7 % per annum.

Select Board Recommends: Maximum rate of 7%

Warrant and Finance Committee Recommends: Maximum rate of 7%

Larissa Crockett made a motion to adopt the article as written and recommend a maximum of 7%; seconded by Ted Kryzak. Motion Carried.

ARTICLE 16: To see if the Town will vote to authorize the Tax Collector to accept the pre-payment of taxes before the Tax Commitment.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 17: 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.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 18: To see if the Town will vote to appropriate all the funds received from the State for snowmobile registrations to Snowmobile Clubs for maintaining their snowmobile trails, on condition that those trails be open to the public for outdoor recreation purposes at no charge, and to authorize the Select Board to enter into an agreement with said Clubs, under such terms and conditions as they may deem advisable, for that purpose.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 19: To see if the Town will vote to raise and appropriate \$594,452.00 for GENERAL GOVERNMENT (Dept. 102)

102-01	Governing Body	\$52,816.00
102-03	Boards	\$685.00
102-05	Municipal Management	\$269,507.00
102-07	Elections	\$6,883.00
102-08	Registrar of Voters	\$4,306.00
102-09	Planning Board	\$5,393.00
102-11	Finance/Treasury	\$40,732.00
102-12	Town Clerk/Tax Collector	\$63,824.00
102-13	Assessment, including revaluation loan payment	\$91,465.00
102-15	Code Enforcement and Inspections	\$58,841.00

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 20: To see if the Town will vote to raise and appropriate \$25,108.00 for HEALTH & WELFARE (Dept 103) of which \$108.00 is for the Health Officer's stipend and \$25,000.00 is for General Assistance.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 21: To see if the Town will vote to raise and appropriate \$149,126.00 for PUBLIC SAFETY (Dept 104) to be expended as follows:

104-03	Fire Department	\$118,926.00
104-07	Street Lights	\$1,700.00
104-09	Animal Control	\$7,706.00
104-30	Communications	\$19,501.00
104-40	EMA	\$1,293.00

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 22: To see if the Town will vote to pay wages and equipment for repair and maintenance of public ways according to the following schedule:

Wages

Road Commissioners	\$24.70 per hour
Laborer, Operators & Truck Drivers	\$11.00 to \$18.00 per hour

General Equipment

Backhoe	2WD	\$44.80 per hour
	4WD	\$49.80 per hour
Loaders (base rate for 1 yd loader)		\$37.40 per hour
Loaders over 1 yd capacity		\$20.15 per hour per additional cubic yard capacity
Loading at stockpile		\$2.00 per cubic yard moved
Grader GVW 21,000		\$70.00 per hour
Chainsaw & hand held power tools		\$6.98 per hour
Mowing Tractor		\$36.00 per hour
Trucks 4 cubic yds		\$34.00 per hour
Trucks 7 cubic yds		\$44.00 per hour
Trucks 12 cubic yds		\$54.00 per hour
Patrol Trucks		\$27.85 per hour
4WD Pickups pushing Front Runner Rake		\$38.60 per hour
Excavators up to 20,000 lbs		\$57.65 per hour
	Over 20,000 lbs	\$67.65 per hour
	Over 40,000 lbs	\$87.65 per hour
Multi-use Tractors		\$47.65 per hour
Dozers D3, D4		\$57.65 per hour
Over 24,000		\$73.00 per hour
Equipment Attachments		\$1.25 per hour

Winter Road Maintenance Equipment

2WD	\$45.70 per hour
4WD 26,000 lbs GVW and over	\$48.15 per hour
4WD 1 Ton between 12,500-25,999 GVW	\$43.37 per hour
¾ Ton Truck	\$38.60 per hour
Trucks with wing add	\$2.20 per hour
Contractor owned sander add	\$5.00 per hour
Sand Screen	\$43.05 per hour

Town to furnish cutting edges, bolts and brushes for mechanical sweepers and cut off wheels for equipment used maintaining roads.

Cost of Operations: The above rates are based on fuel prices up to and including \$4.30 per gallon. The Town of Acton will pay an additional \$1.00 for each \$0.25 increase per gallon based on the fuel price at Boonies in Shapleigh on each Sunday. Such prices will determine the fuel allowance for the following week's Warrant.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approve all rates but omit “Town to furnish brushes for mechanical sweepers and cut off wheels for equipment used maintaining roads”.

Larissa Crockett made a motion to adopt the article as written and recommended by the Select Board; seconded by Ted Kryzak. Dennis Long made a motion to amend one line of Article 22 to read, “Town to furnish cutting edges and bolts for plows and wings only, and brushes for mechanical sweepers and cut off wheels for equipment used maintaining roads”, seconded by Rey Lopez. Motion to amend article failed, 25 in favor of amendment, 44 opposed. Andy Brazier made a motion to amend the article to accept the recommendation of the Warrant and Finance Committee, seconded by Lois Michaud. Motion failed. Vote was then taken on the original motion to adopt the article as written and recommended by the Select Board; motion carried.

ARTICLE 23: To see if the Town will vote to raise and appropriate \$427,421.00 for Public Works (Dept 105) to be expended as follows:

105-12	Roads District 1 Summer Maintenance	\$84,470.00
105-10	Roads District 1 Winter Maintenance	\$76,530.00
105-22	Roads District 2 Summer Maintenance	\$84,470.00
105-20	Roads District 2 Winter Maintenance	\$76,530.00
105-30	Stockpile	\$90,383.00
105-32	Public Works Building and Equipment	\$15,038.00

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 24: To see if the Town will vote to allow the unexpended funds, equaling \$11,254.85, from the special project reconstruction on Sam Page Rd (Article 31 June 2010 Town Meeting) to be carried forward and held in the Road Capital Improvement Fund.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 25: Contingent on the success of Article 24, to see if the Town will vote to raise \$117,251.00 and to appropriate \$196,521.00 for Road Surfacing, the difference to come from the reserve account titled Road Capital Improvement Fund. The Road Capital Improvement Fund contains monies received from the State in the form of URIP funds for 2011 in the amount of \$68,016.00. If Article 24 fails, to see if the Town will vote to raise \$128,505.00 and appropriate \$196,521.00 for Road Surfacing, the difference to come from the reserve account titled Road

Capital Improvement Fund. (PUBLIC WORKS – 105)

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Contingent on the success of Article 24, to see if the Town will vote to raise \$70,729.15 and to appropriate \$150,000.00 for Road Surfacing, the difference to come from the reserve account titled Road Capital Improvement Fund. The Road Capital Improvement Fund contains monies received from the State in the form of URIP funds for 2011 in the amount of \$68,016.00. If Article 24 fails, to see if the Town will vote to raise \$81,984.00 and appropriate \$150,000.00 for Road Surfacing, the difference to come from the reserve account titled Road Capital Improvement Fund. (PUBLIC WORKS – 105)

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 26: To see if the Town will vote to allow unexpended monies from Article 25 to be carried forward and held in the Road Capital Improvement Fund.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 27: To see if the Town will vote to raise and appropriate \$265,866.00 for the Transfer Station. PUBLIC WORKS. (Dept. 105-40)

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 28: To see if the Town will vote to raise and appropriate \$100.00 for the CONSERVATION COMMITTEE. (Dept.106-01)

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 29: To see if the Town will vote to raise and appropriate \$538.00 for PLANNING & DEVELOPMENT (Dept 107) to be expended as follows:

107-05	Forester's Stipend	\$ 538.00
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Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 30: To see if the Town will vote to raise and appropriate \$308,480.00 for COUNTY TAX. (Dept 108-51)

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 31: To see if the Town will vote to raise and appropriate \$1,650.00 for CEMETERY flags, markers, and repair of Veteran's graves.
(Dept 109-01)

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 32: To see if the Town will vote to raise and appropriate \$56,756.00 for DONATIONS (Dept 109-20) as requested:

	Requested	Select Board Rec.	W&F Rec.
YCCAC	\$1,300.00	\$1,300.00	\$1,300.00
Home Health	\$1,000.00	\$1,000.00	\$1,000.00
Southern Maine Agency on Aging	\$1,000.00	\$1,000.00	\$1,000.00
York County Shelter	\$400.00	\$400.00	\$400.00
Child Abuse Prevention Council	\$400.00	\$400.00	\$400.00
Busy Workers 4-H Club	\$500.00	\$500.00	\$500.00
Acton-Shapleigh YCC	\$22,000.00	\$22,000.00	\$22,000.00
Acton-Wakefield Watershed Alliance	\$5,000.00	\$5,000.00	\$5,000.00
Acton Public Library	\$16,991.00	\$16,991.00	\$16,991.00
American Red Cross	\$2,000.00	\$2,000.00	\$2,000.00
Caring Unlimited	\$565.00	\$565.00	\$565.00

Counseling Service	\$1,000.00	\$1,000.00	\$1,000.00
Sexual Assault	\$250.00	\$250.00	\$250.00
Parent Awareness	\$250.00	\$250.00	\$250.00
Woodfords Family Service	\$400.00	\$400.00	\$400.00
Saco River Corridor Commission:	\$300.00	\$300.00	\$300.00
Acton-Shapleigh Historical Society	\$1,000.00	\$1,000.00	\$1,000.00
Biddeford Free Clinic	\$400.00	\$400.00	\$400.00
GELIA	\$2,000.00	\$2,000.00	\$0.00
Total	\$56,756.00	\$56,756.00	\$54,756.00

Larissa Crockett made a motion to adopt the article as written and recommended by the Select Board in the amount of \$56,756.00; seconded by Ted Kryzak. Motion Carried.

ARTICLE 33: To see if the Town will vote to authorize expenditure of a total of up to \$12,960.00 for operation of the Recreation Department, provided that \$9,960.00 will be raised by taxation and the remainder shall be appropriated from recreational fees, donations and revenues received by the Recreation Department. All monies received in excess of \$12,960.00 shall go into the Acton Recreation Capital Improvement Account.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 34: To see if the Town will vote to raise and appropriate \$2,500.00 for the maintenance and reimbursement of previous maintenance to the Balch Lake Dam. \$2,000.00 of which will pay for one-half of the repairs needed to Balch Lake Dam and \$500.00 towards the dam operator's stipend.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 35: To see if the Town will vote to raise and appropriate \$5,000.00 to create a DAMS CAPITAL IMPROVEMENT FUND for the future maintenance of the Emery Mills and Square Pond Dams.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. After discussion, Larissa Crockett made a motion to amend the article to read, "To see if the Town will vote to raise \$5,000.00 to create a DAMS CAPITAL IMPROVEMENT FUND

for the future maintenance of the Emery Mills and Square Pond Dams.” Seconded by Ted Kryzak. Amendment fails. Original motion carried.

ARTICLE 36: To see if the Town will vote to raise and appropriate \$50,000.00 to add to the FIRE CAPITAL IMPROVEMENT FUND for the FIRE DEPARTMENT toward the future purchase of a new fire truck.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 37: To see if the Town will vote to put the funds received from the sale of the tax acquired property during the year 2011/2012 into the Capital Improvement Reserve Account.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 38: To see if the Town will vote to carry forward the following department fund balances and allow the balance carried forward to be appropriated or reserved to/for the designated department.

APAT

Capital Improvement Fund

Fire Dept. Capital Improvement

Fire Department Donations

District 1 Winter and Summer Maintenance

Road Capital Improvement Fund

Mary Grant Committee

Public Works Sand/Salt Fund

Acton Rec Capital Improvement Account

District 2 Winter and Summer Maintenance

Forestry Committee

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

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Lois Michaud made a motion to amend the article to add the “Conservation Committee” to the list of departments for carry over’s in Article 38; seconded by Larissa Crockett. Amendment passed, motion carried as amended.

ARTICLE 39: To see if the Town will vote to accept all funds as provided by the Maine State Legislature and Federal Funds.

Select Board Recommends: Approval of the Article as Written
Warrant and Finance Committee Recommends: Approval of the Article as Written

**Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak.
Motion Carried.**

ARTICLE 40: To see if the Town will vote to appropriate the following estimated revenues and fund balances to reduce the amount to be raised by taxation.

Town Balances	
Fiscal Year 2011 Municipal Revenues	\$ 412,000
Undesignated Fund Balance	\$ Unknown
School Balances	
State Agency	\$ -0-
School Nutrition Revenue	\$ 65,000
General Purpose Aid (estimated)	\$ 73,088
School Undesignated Fund Balance	\$ -0-
Medicaid Reimbursement	\$ 25,000
ARRA Stabilization Fund	\$ 29,235

Select Board Recommends: Approval of the Article as Written
Warrant and Finance Committee Recommends: Approval of the Article as Written

**Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak.
Motion Carried.**

ARTICLE 41: To see if the Town will vote to change the commencement of the Select Board's three-year terms from July 1st following their election to the Wednesday immediately following their election, effective beginning with the 2012 annual town meeting.

Select Board Recommends: Approval of the Article as Written
Warrant and Finance Committee Recommends: Approval of the Article as Written

**Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak.
Motion Carried.**

ARTICLE 42: Shall an ordinance entitled "June 2011 Amendments to the Town of Acton Recall Ordinance" be enacted? Ordinance follows.

**An Ordinance to Amend the Town of Acton's
Ordinance for the Recall of Elected Municipal Officials**

NOTE: Proposed additions to existing Ordinance sections are underlined.
Proposed deletions of existing Ordinance sections are ~~crossed out~~.
Other sections of the Ordinance are unchanged.

The Town of Acton hereby ordains and enacts “An Ordinance to Amend the Town of Acton’s Ordinance for the Recall of Elected Municipal Officials” to read as follows:

Part 1: Section 3 (“Petition for Recall”) is hereby amended as follows:

SECTION 3: PETITION FOR RECALL

The petition for recall must contain signatures of registered voters of the Town of Acton equal to 10% of the number of votes cast in the last Gubernatorial Election, but in all cases no fewer than (100) one hundred.

- a. The petition shall be addressed to the board of Selectman as the Board with the power to call elections pursuant to 30-A M.R.S.A., s/s 2528.
- b. The petition shall state the name and office of the person whose removal is being sought, a specific statement of the reason such removal is desired and the names of the persons circulating the petition.
- c. If recall of more than one official is being sought, there shall be a separate petition for each official whose removal is being sought.
- d. Each page of the petition shall provide a space for the voter’s signature, printed name, and physical address.
- e. All petition pages thereof shall be filed as one document.

Part 2: Section 9 (“Interim Powers”) of the Town of Acton’s Ordinance for the Recall of Elected Municipal Officials is hereby amended as follows:

SECTION 9: ~~INTERIM POWERS~~ INCUMBENT TO CONTINUE DUTIES DURING RECALL PROCESS

~~The official whose recall is sought shall have all those powers and duties of the office until a duly elected replacement has been sworn in. The incumbent (unless he/she has submitted a written resignation to the Select Board) shall continue to perform the duties of the office until the results of the recall election are certified. If not recalled, the official shall continue in office for the remainder of the unexpired term. If recalled, the official shall be deemed to be removed from office upon the certification of the election results.~~

Part 3: Effective Date.

This Ordinance shall take effect immediately upon enactment by the town meeting.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Ordinance as written.

ARTICLE 43: To see if the Town will vote to ratify the transfer of \$3,119.00 for fiscal year 2010 overdrafts in the following accounts from undesignated funds:

Communications \$1718.00

Animal Control \$1401.00

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Approval of the Article as Written

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Carried.

ARTICLE 44: To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 3%, pursuant to 36 M.R.S.A. 506-A.

Select Board Recommends: 3%

Warrant and Finance Committee Recommends: 3%

Larissa Crockett made a motion to adopt the Select Board's recommendation of 3%; seconded by Ted Kryzak. Motion Carried.

ARTICLE 45: To see if the Town will vote to authorize the municipal officers to make final determinations regarding the closings or openings of roads to winter maintenance pursuant to 23 M.R.S.A. 2953.

Select Board Recommends: Approval of the Article as Written

Warrant and Finance Committee Recommends: Ought Not to Pass

Larissa Crockett made a motion to adopt the article as written; seconded by Ted Kryzak. Motion Failed.

Signed this 26th day of May 2011

ss/Larissa Crockett

ss/Theodore Kryzak

ss/William Shields

ss/Jennifer Roux
Town Clerk