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2018

Town of Acton Maine Annual Meeting Minutes 2018

Acton Board of Selectpersons

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**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 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 **June 12, 2018 at Eight o'clock in the morning** to act on the following articles, to wit:

ARTICLE 1: To choose a moderator for said meeting.

Richard Nass was nominated Moderator, motion seconded. Richard Nass was elected moderator by written secret ballot.

ARTICLE 2: To elect by secret ballot: one (1) Selectman, Assessor and Overseer of the Poor for three years.

612 Ballots Cast:

**240 Walsh, Edward *Elected
217 Ward, Jay
98 Waterhouse, Rollin
57 Blanks/Write-Ins**

ARTICLE 3: To elect by secret ballot: one (1) Road Commissioner (District Two) for three years.

**493 Winchell Jr., David *Elected
119 Blank/Write-Ins**

ARTICLE 4: To elect by secret ballot: two (2) members of the School Committee for three years each.

**396 Cote, Linda *Elected
386 Stanton, Mary *Elected
442 Blanks/Write-Ins**

ARTICLE 5: MARIJUANA REFERENDUM QUESTION REMOVED BY BOS 05/11/18

ARTICLE 6: To choose two (2) members of the Conservation and Forest Committee for a three year term. *Wesley Ham and William Maloney's terms are expiring.*
Nominated From The Floor:

**38 Maloney, Bill *Elected
49 - Ham, Wesley *Elected
33 - Berlin, Leslie**

ARTICLE 7: To choose three (3) members of the Warrant and Finance Committee for a two year term and two (2) alternate members for a two year term. *Nancy Ruma, Sarah Cognata, Lois Michaud, Virginia Shea, and Susan Meehan term's are expiring.*

55 Murray, Arnold *Elected
51 Long, Dennis *Elected
39 Shea, Virginia *Elected

Alternates:

Komezubumwe, Carol *Elected
Michaud, Lois *Elected

ARTICLE 8: To choose two (2) members of the Town Road Committee for a two year term. *Robert T. Gore and Dennis Long's terms are expiring.*

62 Ward, Jay *Elected
43 Berlan, Leslie *Elected

NOTE:

For the following 4 articles:

~~Shaded Strike through~~ denotes wording removed

Underline denotes wording added

Asterisks (* * * *) denotes wording before or after

ARTICLE 9: To see if the Town will vote to make the following changes to the **Town of Acton Zoning Ordinance:**

1.4.7 Non-Conforming Vacant Lot –

*** * * * ***

1.4.7.2 – If two or more contiguous lots are in single or joint ownership of record at the time of or since adoption or amendment of this Ordinance, if any of these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure, the lots shall be combined to the extent necessary to meet the dimensional requirements.

~~In the Shoreland Zone, this provision shall not apply to 2 or more contiguous lots, at least one of which is non-conforming, owned by the same person or persons on the effective date of this Ordinance and recorded in the registry of deeds if the lot is served by a public sewer or can accommodate a subsurface sewage disposal system in conformance with the State of Maine Subsurface Wastewater Disposal Rules; and the following:~~

~~a) Each lot contains at least one hundred (100) feet of shore frontage and at least 20,000 square feet of lot area; or~~

~~b) Any lots that do not meet the frontage and lot size requirements of , 1.4.7.2 (a) are reconfigured or combined so that each new lot contains at least 100 feet of shore frontage and 20,000 square feet of lot area.~~

* * * * *

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Arnold Murray. Motion Carried. Article passed as written.

ARTICLE 10: To see if the Town will vote to make the following changes to the **Town of Acton Zoning Ordinance:**

2.6.4 Minimum Lot Standards –

* * * * *

d. If more than one (1) residential dwelling unit, principal governmental, institutional, commercial or industrial structure or combination thereof, is constructed or established on a single parcel, all dimensional requirements shall be met for each additional dwelling unit, principal structure, or use.

1. Exception: Accessory Dwelling Unit (ADU)

* * * * *

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 District |
|--|--------------|--------------------------|---------------------|------------------------------|--------------|--------------|--------------|-----------|---------------------|-----------|----------------|-----------------------------|
| RESIDENTIAL STRUCTURES AND USES | | | | | | | | | | | | |
| Single family dwelling | R | R | R | R | R | R | R | R | N | R | R | R |
| <u>Accessory Dwelling Unit (ADU)</u> | <u>R</u> | <u>R</u> | <u>R</u> | <u>R</u> | <u>R</u> | <u>R</u> | <u>R</u> | <u>R</u> | <u>N</u> | <u>N</u> | <u>N</u> | <u>N/A</u> |
| Two family dwelling | R | R | R | R | R | R | R | R | N | R | R | R |

* * * * *

3.2 Definitions – In this Ordinance, the following terms shall have the following meanings unless a contrary meaning is required by the content or is specifically prescribed.

* * * * *

Dwelling Unit, Accessory – A permitted accessory use to an owner-occupied one-family dwelling;

* * * * *

5.14 Multi-Family Dwelling Units:

* * * * *

5.14.1.1 Additional Dwelling Units (ADU)

- a. Only one accessory dwelling unit (ADU) located within an owner-occupied single-family dwelling shall be permitted;
- b. The lot on which the accessory dwelling unit is situated shall meet all current dimensional requirements within the district;
- c. The unit shall contain no more than eight hundred (800) square feet;
- d. The construction of the unit shall meet all applicable building codes and subsurface wastewater disposal rules.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Herbert Clark. Motion Carried. Article passed as written.

ARTICLE 11: To see if the Town will vote to make the following changes to the **Town of Acton Zoning Ordinance:**

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 | Aquar Protection District |
|----------------------------------|--------------|--------------------------|---------------------|------------------------------|--------------|--------------|--------------|-----------|---------------------|-----------|----------------|---------------------------|
| Timber Harvesting for Commercial | P | P | P | P | P | P | P | P | R4 P | R4 P | R4 P | P |

* * * * *

Foot Notes:

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4. ~~If the applicant has retained a forester to manage ALL AREAS to be harvested in the cut (not just in the Shoreland District and Resource Protection), no Planning Board review (i.e. Conditional Use Permit) shall be required. However, the State's Intent to Cut Form must be submitted to the Code Enforcement Officer for review in the Shoreland Districts and Resource Protection District prior to any cutting taking~~

place. Reserved

* * * * *

3.2 Definitions – In this Ordinance, the following terms shall have the following meanings unless a contrary meaning is required by the content or is specifically prescribed.

* * * * *

Timber Harvesting – The cutting and removal of timber for the primary purpose of selling or processing forest products. ~~In areas outside of the Shoreland and/or Resource Protection District, this term shall not include the harvesting of ten (10) cords or less per year, or up to ten thousand (10,000) board feet of lumber per year. In areas within the Shoreland and/or Resource Protection Districts, this term shall not include the cutting or removal of trees on a lot that has less than two (2) acres within the Shoreland or Resource Protection District. Such cutting or removal of trees within the Shoreland or Resource Protection Districts shall be regulated pursuant to Section 5.20~~ Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting. “Timber harvesting” does not include the cutting or removal of vegetation within the shoreland zone when associated with any other land use activities. The cutting or removal of trees in the shoreland zone on lot that has less than two (2) acres within the shoreland zone shall not be considered timber harvesting. Such cutting or removal of trees shall be regulated pursuant to Section 5.20, *Clearing or Removal of Vegetation for Activities Other than Timber Harvesting.*

* * * * *

ARTICLE 5 – PERFORMANCE STANDARDS –

* * * * *

5.19 Timber Harvesting: ~~The following standards shall govern Timber Harvesting within the shoreland and resource protection areas:~~ **All commercial timber harvesting shall be in accordance with the State of Maine timber harvesting regulations.**

~~**5.19.1 Shoreline Integrity and Sedimentation** – Persons conducting timber harvesting and related activities must take reasonable measures to avoid the disruption of shoreline integrity, the occurrence of sedimentation of water, and the disturbance of water body and tributary stream banks, water body and tributary stream channels, shorelines, and soil lying within water bodies, tributary streams and wetlands. If, despite such precautions, the disruption of shoreline integrity, sedimentation of water, or the disturbance of water body and tributary stream banks, water body and tributary stream channels, shorelines, and soil lying within water bodies, tributary streams, and wetlands occurs, such conditions must be corrected.~~

~~**5.19.2 Slash Treatment** – Timber harvesting and related activities shall be conducted such that slash or debris is not left below the normal high water line of any water body or tributary stream, or the upland edge of a wetland. Section 5.19.2 does not apply to minor, incidental amounts of slash that result from timber harvesting and related activities otherwise conducted in compliance with this section.~~

~~(a) Slash actively used to protect soil from disturbance by equipment or to stabilize exposed soil, may be left in place, provided that no part thereof extends more than four (4) feet above the ground.~~

~~(b) Adjacent to great ponds, rivers, and wetlands:~~

~~(i) No accumulation of slash shall be left within fifty feet (50'), horizontal distance, of the normal high water line or upland edge of a wetland; and~~

~~(ii) Between fifty (50) feet and two hundred fifty (250) feet, horizontal distance, of the normal high water line or upland edge of a wetland, all slash larger than three~~

~~(3) inches in diameter must be disposed of in such a manner that no part thereof extends more than four (4) feet above the ground.~~

5.19.3 ~~Timber harvesting and related activities must leave adequate tree cover, and shall be conducted so that a well distributed stand of trees is retained. This requirement may be satisfied by following one of the following three options:~~

~~**a) Option 1:** forty (40) percent volume removal, as follows:~~

~~i) Harvesting of no more than forty percent (40%) of the total volume on each acre of trees four and one half (4 ½) inches DBH or greater in any ten (10) year period is allowed. Volume may be considered to be equivalent to basal area;~~

~~ii) A well distributed stand of trees which is windfirm, and other vegetation including existing ground cover, must be maintained; and,~~

~~iii) Within seventy five (75) feet, horizontal distance of the normal high water line of rivers, streams, great ponds and upland edge of freshwater wetlands, there must be no cleared openings. At distances greater than seventy five (75) feet, horizontal distance, of the normal high water line of a river or great pond, or upland edge of a wetland, timber harvesting and related activities must not create single cleared openings greater than fourteen thousand (14,000) square feet in the forest canopy. Where such openings exceed ten thousand (10,000) square feet, they must be at least one hundred (100) feet, horizontal distance, apart. Such cleared openings will be included in the calculation of total volume removal. Volume may be considered equivalent to basal area.~~

~~**b) Option 2:** sixty (60) square foot basal area retention, as follows:~~

~~(i) The residual stand must contain an average basal area of at least sixty (60) square feet per acre of woody vegetation greater than or equal to one (1) inch DBH, of which forty (40) square feet per acre must be greater than or equal to four and one half (4 ½) inches DBH;~~

~~(ii) A well distributed stand of trees which is windfirm, and other vegetation including existing ground cover, must be maintained; and,~~

~~(iii) Within seventy five (75) feet, horizontal distance, of the normal high water line of water bodies, and within seventy five (75) feet, horizontal distance, of the upland edge of wetlands, there must be no cleared openings. At distances greater than seventy five (75) feet, horizontal distance, of the normal high water line of a river or great pond, or upland edge of a wetland, timber harvesting and related activities must not create single cleared openings greater than fourteen thousand (14,000) square feet in the forest canopy. Where such openings exceed ten thousand (10,000) square feet, they~~

must be at least one hundred (100) feet, horizontal distance, apart. Such cleared openings will be included in the calculation of the average basal area. Volume may be considered equivalent to basal area.

(c) Option 3 (Outcome-based), which requires: An alternative method proposed in an application, signed by a licensed forester or certified wildlife professional, submitted by the landowner or designated agent to the State of Maine Department of Conservation's Bureau of Forestry (Bureau) for review and approval, which provides equal or better protection of the shoreland area than this rule.

NOTE: Landowners must designate on the Forest Operations Notification form required by 12 M.R.S.A. chapter 805, subchapter 5, which option they choose to use. If landowners choose Option 1 or Option 2, compliance will be determined solely on the criteria for the option chosen. If landowners choose Option 3, timber harvesting and related activities may not begin until the Bureau has approved the alternative method.

The Bureau may verify that adequate tree cover and a well-distributed stand of trees is retained, through a field procedure that uses sample plots that are located randomly or systematically, to provide a fair representation of the harvest area.

5.19.4 Skid Trails, Yards and Equipment Operation—This requirement applies to the construction, maintenance, and use of skid trails and yards in shoreland areas.

a) Equipment used in timber harvesting and related activities shall not use river, stream, or tributary stream channels as travel routes, except when surface waters are frozen and snow covered, and the activity will not result in any ground disturbance.

b) Skid trails and yards must be designed and constructed to prevent sediment and concentrated water runoff from entering a water body, tributary stream, or wetland. Upon termination of their use, skid trails and yards must be stabilized.

c) Setbacks:

i) Equipment must be operated to avoid the exposure of mineral soil within twenty five (25) feet, horizontal distance, of any water body, tributary stream, or wetland. On slopes of ten (10) percent or greater, the setback for equipment operation must be increased by twenty (20) feet, horizontal distance, plus an additional ten (10) feet, horizontal distance, for each five (5) percent increase in slope above ten (10) percent. Where slopes fall away from the resource, no increase in the twenty five (25) foot setback is required.

ii) Where such setbacks are impracticable, appropriate techniques shall be used to avoid sedimentation of the water body, tributary stream, or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief culverts and ditch water turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.

5.19.5 Land Management Roads—Land management roads, including approaches to crossings of water bodies, tributary stream channels, and freshwater wetlands, ditches, and other related structures, must be designed, constructed, and maintained to prevent sediment and concentrated water runoff from directly entering the water body, tributary stream, or wetland. Surface water on, or adjacent to, water crossing approaches must be diverted through vegetative

filter strips to avoid sedimentation of the watercourse or wetland. Because roadside ditches may not extend to the resource being crossed, vegetative filter strips must be established in accordance with the setback requirements in Section 5.19.2.7 of this rule.

a) Land management roads and associated ditches, excavation, and fill must be set back at least:

i) One hundred (100) feet, horizontal distance, from the normal high water line of a great pond, river, or freshwater wetland;

ii) Fifty (50) feet, horizontal distance, from the normal high water line of streams; and

iii) Twenty five (25) feet, horizontal distance, from the normal high water line of tributary streams.

b) The minimum one hundred (100) foot setback specified in Section 5.19.5(a)(i) above may be reduced to no less than fifty (50) feet, horizontal distance, and the fifty (50) foot setback specified in Section 5.19.5(a)(ii) above may be reduced to no less than twenty five (25) feet, horizontal distance, if, prior to construction, the landowner or the landowner's designated agent demonstrates to the Planning Board's satisfaction that no reasonable alternative exists and that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.

c) On slopes of ten (10) percent or greater, the land management road setback must be increased by at least twenty (20) feet, horizontal distance, plus an additional ten (10) feet, horizontal distance, for each five (5) percent increase in slope above ten (10) percent.

d) New land management roads are not allowed within the Resource Protection District, unless, prior to construction, the landowner or the landowner's designated agent makes a clear demonstration to the Planning Board's satisfaction that no reasonable alternative route exists outside the Shoreland District, and that the new road must be set back as far as practicable from the normal high water line, and screened from the river by existing vegetation.

e) Ditches, culverts, bridges, dips, water turnouts, and other water control installations associated with roads must be maintained on a regular basis to assure effective functioning. Drainage structures shall deliver a dispersed flow of water into an unscarified filter strip no less than the width indicated in the setback requirements in Section 5.19.5(7). Where such a filter strip is impracticable, appropriate techniques shall be used to avoid sedimentation of the water body, tributary stream, or wetland. Such techniques may include the installation of sump holes or settling basins, and/or the effective use of additional ditch relief culverts and ditch water turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.

f) Road Closeout and Discontinuance—Maintenance of the water control installations required in Section 5.19.5(e) must continue until use of the road is

discontinued and the road is put to bed; by effective installation of water bars or other adequate road drainage structures at appropriate intervals, constructed to avoid surface water flowing over or under the water bar, and extending a sufficient distance beyond the traveled way so that water does not reenter the road surface.

g) Upgrading Existing Roads—Extension or enlargement of presently existing roads must conform to the provisions of Section 5.19.5. Any non-conforming existing road may continue to exist and to be maintained, as long as the non-conforming conditions are not made more non-conforming.

Exception—Extension or enlargement of presently existing roads need not conform to the setback requirements of Section 5.19(5)(a) if, prior to extension or enlargement, the landowner or the landowner's designated agent demonstrates to the Planning Board's satisfaction that no reasonable alternative exists and that appropriate techniques will be used to prevent sedimentation of the water body, tributary stream, or wetland. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed to avoid sedimentation of the water body, tributary stream, or wetland. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.

h) Additional Measures: In addition to the foregoing minimum requirements, persons undertaking construction and maintenance of roads and river, stream, and tributary stream crossings must take reasonable measures to avoid sedimentation of surface waters.

5.19.6 Crossings of Waterbodies—Crossings of rivers, streams, and tributary streams must allow for fish passage at all times of the year, must not impound water, and must allow for the maintenance of normal flows.

a) Determination of Flow: Provided they are properly applied and used for the circumstances for which they are designed, methods including but not limited to the following are acceptable as a means of calculating the ten (10) year and twenty five (25) year frequency water flows and thereby determining water crossing sizes as required in Section 5.19.5: The United States Geological Survey (USGS) Methods; specifically: Hodgkins, G. 1999. Estimating the Magnitude of Peak Flows for Streams in Maine for Selected Recurrence Intervals. U.S. Geological Survey. Water Resources Investigations Report 99-4008. 45 pp.

b) Upgrading Existing Water Crossings: Extension or enlargement of presently existing water crossings must conform to the provisions of Section 5.19.5 Any non-conforming existing water crossing may continue to exist and be maintained, as long as the non-conforming conditions are not made more non-conforming; however, any maintenance or repair work done below the normal high water line must conform to the provisions of Section 5.19.5.

e) Other Agency Permits: Any timber harvesting and related activities involving the design, construction, and maintenance of crossings on waterbodies other than a river, stream, or tributary stream may require a permit from the Department of Environmental Protection or the US Army Corps of Engineers.

d) Any timber harvesting and related activities involving the design, construction, and maintenance of crossings of freshwater wetlands, identified by the Department of

Inland Fisheries and Wildlife as essential wildlife habitat, require prior consultation with the Department of Inland Fisheries and Wildlife.

e) Notice to Bureau of Forestry: Written notice of all water crossing construction, maintenance, alteration, and replacement activities in shoreland areas must be given to the Bureau prior to the commencement of such activities. Such notice must contain all information required by the Bureau, including:

- i) a map showing the location of all proposed permanent crossings;
- ii) the GPS location of all proposed permanent crossings;
- iii) for any temporary or permanent crossing that requires a permit from state or federal agencies, a copy of the approved permit or permits; and
- iv) a statement signed by the responsible party that all temporary and permanent crossings will be constructed, maintained, and closed out in accordance with the requirements of this Section.

f) Water Crossing Standards—All crossings of rivers require a bridge or culvert sized according to the requirements of Section 5.19.6(g) below. Streams and tributary streams may be crossed using temporary structures that are not bridges or culverts provided:

- i) concentrated water runoff does not enter the stream or tributary stream;
- ii) sedimentation of surface waters is reasonably avoided;
- iii) there is no substantial disturbance of the bank, or stream or tributary stream channel;
- iv) fish passage is not impeded; and,
- v) water flow is not unreasonably impeded.

Subject to Section 5.19.6(f)(i-v) above, skid trail crossings of streams and tributary streams when channels of such streams and tributary streams, are frozen and snow covered; or are composed of a hard surface which will not be eroded or otherwise damaged, are not required to use permanent or temporary structures.

g) Bridge and Culvert Sizing—For crossings of river, stream, and tributary stream channels with a bridge or culvert, the following requirements apply:

- i) Bridges and culverts must be installed and maintained to provide an opening sufficient in size and structure to accommodate ten (10) year frequency water flows, or with a cross-sectional area at least equal to two and one-half (2 1/2) times the cross-sectional area of the river, stream, or tributary stream channel.
- ii) Temporary bridge and culvert sizes may be smaller than provided in Section 5.19.6 (g)(i) if techniques are effectively employed such that in the event of culvert or bridge failure, the natural course of water flow is maintained, and sedimentation of the water body or tributary stream is avoided. Such crossing structures must be at least as wide as the channel and placed above the normal high water line. Techniques may include, but are not limited to, the effective use of any, a combination of, or all of the following:
 - a) use of temporary skidder bridges;
 - b) removing culverts prior to the onset of frozen ground conditions;

~~e) using water bars in conjunction with culverts;~~

~~d) using road dips in conjunction with culverts.~~

~~iii) Culverts utilized in river, stream, and tributary stream crossings must:~~

~~a) be installed at or below river, stream, or tributary stream bed elevation;~~

~~b) be seated on firm ground;~~

~~c) have soil compacted at least halfway up the side of the culvert;~~

~~d) be covered by soil to a minimum depth of one foot (1') or according to the culvert manufacturer's specifications, whichever is greater; and~~

~~e) have a headwall at the inlet end which is adequately stabilized by riprap or other suitable means to reasonably avoid erosion of material around the culvert.~~

~~iv) River, stream, and tributary stream crossings allowed under Section 5.19.2, but located in flood hazard areas (i.e. A zones) as identified on a community's Flood Insurance Rate Maps (FIRM) or Flood Hazard Boundary Maps (FHBM), must be designed and constructed under the stricter standards contained in that community's National Flood Insurance Program (NFIP). For example, a water crossing may be required to pass a one hundred (100) year flood event.~~

~~v) Exception: Skid trail crossings of tributary streams, within shoreland areas and wetlands adjacent to such streams, may be undertaken in a manner not in conformity with the requirements of the foregoing subsections, provided persons conducting such activities take reasonable measures to avoid the disruption of shoreline integrity, the occurrence of sedimentation of water, and the disturbance of stream banks, stream channels, shorelines, and soil lying within ponds and wetlands. If, despite such precautions, the disruption of shoreline integrity, sedimentation of water, or the disturbance of stream banks, stream channels, shorelines, and soil lying within ponds and wetlands occurs, such conditions must be corrected.~~

~~h) **Skid Trail Closeout**—Upon completion of timber harvesting and related activities, or upon the expiration of a Forest Operations Notification, whichever is earlier, the following requirements apply:~~

~~i) Bridges and culverts installed for river, stream, and tributary stream crossings by skid trails must either be removed and areas of exposed soil stabilized, or upgraded to comply with the closeout standards for land management roads in Section 5.19.6 (i) below.~~

~~ii) Water crossing structures that are not bridges or culverts must either be removed immediately following timber harvesting and related activities, or, if frozen into the river, stream, or tributary stream bed or bank, as soon as practical after snowmelt.~~

~~iii) River, stream, and tributary stream channels, banks, and approaches to crossings of water bodies and tributary streams must be immediately stabilized on completion of harvest, or if the ground is frozen and/or snow covered, as soon as practical after snowmelt. If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.~~

i) ~~Land Management Road Closeout: Maintenance of the water control features must continue until use of the road is discontinued, and the road is put to bed by taking the following actions:~~

~~i) Effective installation of water bars or other adequate road drainage structures at appropriate intervals, constructed to reasonably avoid surface water flowing over or under the water bar, and extending sufficient distance beyond the traveled way so that water does not reenter the road surface.~~

~~ii) Water crossing structures must be appropriately sized, or dismantled and removed in a manner that reasonably avoids sedimentation of the water body or tributary stream.~~

~~iii) Any bridge or water crossing culvert in roads to be discontinued shall satisfy one of the following requirements:~~

~~a) it shall be designed to provide an opening sufficient in size and structure to accommodate 25 year frequency water flows;~~

~~b) it shall be designed to provide an opening with a cross-sectional area at least 3 1/2 times the cross-sectional area of the river, stream or tributary stream channel; or~~

~~c) it shall be dismantled and removed in a fashion to reasonably avoid sedimentation of the river, stream, or tributary stream.~~

~~If, despite such precautions, sedimentation or the disruption of shoreline integrity occurs, such conditions must be corrected.~~

5.19.7 Slope Table: Filter strips, skid trail setbacks, and land management road setbacks must be maintained as specified in Section 5.19.5, but in no case shall be less than shown in the following table:

Average slope of land between exposed

mineral soil and the shoreland

(percent) ————— 0 ——— 10 ——— 20 ——— 30 ——— 40 ——— 50 ——— 60

Width of strip between exposed mineral

soil and shoreline (feet along surface of

the ground) ————— 25 ——— 45 ——— 65 ——— 85 ——— 105 ——— 125 ——— 145

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Steve Bodkin. Motion Carried. Article passed as written.

ARTICLE 12: To see if the Town will vote to make the following changes to the Town of Acton Zoning Ordinance:

3.2 Definitions – In this Ordinance, the following terms shall have the following meanings unless a contrary meaning is required by the content or is specifically prescribed.

* * * * *

Filling, Grading and Other Earth-moving Activities: Earth Moving activity other than mineral extraction

* * * * *

Mineral Extraction – Any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, **ledge**, peat, or other similar material from its natural location; and to transport the product removed, away from the extraction site.

* * * * *

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 District | |
|--|--------------|--------------------------|---------------------|------------------------------|--------------|--------------|--------------|-----------|---------------------|-----------|--|---|
| Filling, grading, or other earth moving activity more than 10,000 cubic yards Mineral Extractive Industry | N | C | C | C | C | C | C | C | N | N | N | C |

* * * * *

5.9 Mineral Exploration and Mineral Extractive Industry:

* * * * *

5.9 MINERAL EXPLORATION AND MINERAL EXTRACTIVE INDUSTRY –

5.9.1 MINERAL EXPLORATION – Mineral exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance of less than one hundred square feet (100 sf) of ground surface. A permit from the Code Enforcement Officer shall be required for mineral exploration which exceeds the above limitations. All excavations including test pits and holes shall be immediately capped, filled, or secured by other equally effective measures so as to restore disturbed areas and to protect the public health and safety.

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 following provisions of this Ordinance.

(1) Exception: the removal or transfer of less than one thousand (1,000) 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) Except in the Shoreland District and the Resource Protection District, the removal or transfer of less than ten thousand cubic yards (10,000 cy.) of material from or onto any lot in any twelve (12) month period.~~

~~(2)~~ (1) The removal or transfer of material incidental to construction, alteration, or repair of a building, or in the grading and landscaping incidental thereto.

~~(3)~~ (2) The removal or transfer of material incidental to construction, alteration, or repair of a public or private way or essential service.

~~(4)~~ (3) Agricultural tillage.

* * * * *

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 13: To see if the Town will vote to approve the following changes to the **Acton Fire-Rescue Ordinance:**

Underlined text is proposed additions
~~Strike through text~~ is proposed removals

ACTON FIRE-RESCUE ORDINANCE

The purpose of this Ordinance is to establish the “Acton Fire-Rescue Department” as a municipal department of the Town of Acton, pursuant to the home rule authority granted in Title 30-A M.R.S.A §

3001.

ARTICLE 1 - NAME

1.1 The organization shall be known as the “Acton Fire-Rescue Department” (the “Department”).

ARTICLE 2 - PURPOSE

2.1. Town of Acton Protection: The primary purpose of the Department shall be to prevent and extinguish fires within the Town of Acton, to handle emergencies affecting the health, safety and welfare, and to provide rescue, and medical transport services for all persons within the Town of Acton, and elsewhere by prior agreement.

2.2. Cooperation with Other Communities: The Department may also assist other municipalities as its resources are available and may be needed in a cooperative effort for all of these purposes, and will comply with any written agreements signed by the Selectmen. The Selectmen shall have authority to enter into written agreements with other municipalities on a recommendation of the Fire Chief.

ARTICLE 3 - ORGANIZATION

3.1. The Department shall be a “Municipal Fire-Rescue Department” established pursuant to Title 30-A M.R.S.A. §3151(1) and (1-A) as amended to prevent and extinguish fires, and to provide emergency medical services as authorized by this ordinance through the operation of a municipal rescue and ambulance service as an integral function of the Department. It shall be a department within the Town of Acton.

ARTICLE 4 - MEMBERSHIP

4.1. Members: The membership shall include individual residents and non-residents of the Town of Acton, who are at least 18 years old, and who have been accepted as members of the Department.

4.2. Number of Members: The Fire Chief shall determine the number of members necessary for the effective operations of the Department.

4.3. Application for Membership: All applications for membership in the Department must be approved by the Fire Chief. Members must meet all membership standards described in the Acton Fire-Rescue Department Member Qualifications and Expectations document which may be amended by the Fire Chief. All new memberships will be probationary for a twelve month period, followed by a review of their performance by the Fire Chief or his designate before full membership status is achieved. Full membership shall be considered for approval only after successful completion of the probationary period.

4.4. Junior Fire-Rescue Members: Any resident or non-resident of Acton, of the age 14 to 17, may be accepted as a Junior Fire-Rescue Member in accordance with section 4.3, after meeting the membership standards described in the Member Qualifications and Expectations and all requirements of Maine law. EMS requirements require a minimum age of 16.

4.5. Compensation: Members may be compensated consistent with the Department’s appropriation provided through the Town budget process and the applicable provisions of the Department’s Position Classification and Pay Scale. (Quarterly for stipends and weekly for on-shift crew members.) (See Acton Fire-Rescue Positions Pay Plan)

4.6 Department Roster: The Department shall maintain an Active Roster

ARTICLE 5 - RULES AND REGULATIONS/STANDARD OPERATING GUIDELINES

5.1. The Acton Fire-Rescue Rules and Regulations/Standard Operating Guidelines (“SOG Documents”). The SOG document will include information from current departmental Job Descriptions, Employee Handbooks and SOG’s. The SOG Document provides a detailed description of operating rules for

emergency situations, member qualifications and training standards, and officer responsibilities.

5.2. Amendments: The SOG Documents may be amended by the Fire Chief. All amendments must be consistent with this Ordinance, Maine state law, and other applicable laws, ordinances and regulations.

ARTICLE 6 - DISCIPLINE, SUSPENSION AND DISMISSAL

6.1. Causes for Discipline or Suspension: Causes for discipline, suspension and/or dismissal include those matters described in applicable provisions of the Town and Department's Personnel Policy.

6.2. Grievance Procedure: All grievances will be handled in accordance with applicable provisions of the Town and the Department's Personnel Policy as it may be amended. All members will be treated as employees under that policy for the purposes of grievances only.

6.3. Disciplinary Procedure: All discipline, suspensions, and dismissals shall be handled in accordance with applicable provisions of the Town and the Department's Personnel Policy as it may be amended.

6.4. Town Personnel Policy : The Town Personnel Policy shall supersede the Fire Rescue Personnel Policy in the event of any conflict.

ARTICLE 7 - APPOINTMENT OF OFFICERS

7.1. Initial Appointment: The Fire Chief (3 years), ~~2 Deputy Chief's (1 year each)~~ shall be recommended to the selectmen for appointment by a seven (7) member Fire-Rescue Commission, consisting of the following:

7.1.1 Three (3) active Department members elected/appointed by the Department.

7.1.2 Selectmen's Liaison with the Department.

7.1.3 Warrant and Finance Committee's Liaison with the Department.

7.1.4 A retired or active member of a municipal fire and rescue department appointed by the selectmen.

7.1.5 A member of the public, to be selected by the other six members of the Commission.

7.1.6 Members of the F-R Commission shall be appointed upon the need of a new Fire Chief or other reasons as deemed necessary by the Board of Selectmen. ~~adoption of this ordinance and a new commission appointed at the start of every fiscal year.~~

7.2 Appointment of Deputy ~~other~~ Officers and Officials: The Fire Chief ~~Department~~ shall create and fill any additional officer positions with approval from the Board of Selectmen.

~~7.3 Nominating: The Department will maintain a "Nominating Committee" and prepare a list of qualified candidates for consideration of the commission described in section 7.1 prior to the expiration of their terms of appointment. The Nominating Committee shall also maintain a list of members qualified to fill additional officer positions created by the Department.~~

~~7.4. Qualifications for Officers: See the Member Qualifications and Expectations for the qualifications for all Officer Positions.~~

ARTICLE 8 - POWERS AND DUTIES OF FIRE CHIEF, OFFICERS AND OFFICIALS

8.1. Chain of Command: The Chain of Command shall be in Accordance with the Fire-Rescue organizational chart. All other officers and officials shall follow the chain of command. The Fire Chief shall determine who has the higher rank between officers with the same rank.

8.2. Fire Chief: The Fire Chief shall exercise the duties and powers described in Title 30-A M.R.S.A. §3153 (see sections below), as it may be amended from time to time, except as described in this Ordinance, and as follows:

8.2.1. Generally, direct and control all officers and members of the Department in the performance of their duties.

8.2.2. Provide a training program for fire-rescue personnel within the municipality in cooperation with

appropriate governmental agencies.

8.2.3. Provide for the maintenance of all fire and rescue equipment owned by the municipality and buildings used by the municipal Fire-Rescue Department.

8.2.4. Prepare and submit annually to the Board of Selectmen a line item budget related to fire protection and rescue activities. The budget will be reviewed by the officers for input prior to presentation to the Board of Selectmen.

8.2.5. Suppress disorder and tumult at all department activities and, generally, to direct all operations to prevent further destruction and damage.

8.2.6. Exercise the powers relating to municipal fire protection and rescue as described in Article 5.

8.2.7. Obtain assistance from persons at the scene of a fire to extinguish the fire and protect persons and property from injury.

8.2.8. Pull down and demolish structures and outbuildings if the Fire Chief judges it necessary to prevent the spread of fire.

8.2.9. Exercise the power of the fire inspector with respect to dangerous buildings described in 25 M.R.S.A §2360, as it may be amended from time to time.

8.2.10. Exercise the power to bring civil actions, with the approval of the Board of Selectmen, described in 25 M.R.S.A §2361, as it may be amended from time to time.

8.2.11. Issue fire permits as the Fire Warden in accordance with Maine Department of Conservation rules and regulations.

8.2.12. Exercise any other powers and duties described in this Ordinance and powers of fire chief, officers and fire wardens generally as described in Maine State, Maine EMS and/or federal laws and regulations.

~~8.3. Officers Duties: See the Member Qualifications and Expectations for the duties of all officers and other officials.~~

ARTICLE 9 - DEPARTMENT ASSETS AND FUNDS

9.1. Municipal Appropriation: All funds raised or appropriated for the Department at town meeting shall be treated as municipal funds under Title 30-A M.R.S.A. §5652 et seq, as amended.

9.2. Other Funding: All funds raised or donated to the Department in the Town of Acton's or the Acton Fire-Rescue Department's name, by Department personnel or any Auxiliary Association, which are held or deposited in an account bearing the Town's tax identification number for department equipment or other purposes, shall be treated as municipal funds pursuant to Title 30-A M.R.S.A. §5652 et seq, as amended. The Selectmen may authorize or approve expenditure of these funds in accordance with its Policy on Purchases regarding Donated Funds, as it may be amended from time to time. Funds raised or donated in the name of any association or auxiliary to the department and held in an account bearing a tax identification number other than that of the Town of Acton's are not subject to the requirements regarding municipal funds pursuant to the provisions of Title 30-A M.R.S.A. §5652 et seq as amended.

9.3. Other Assets and Equipment: Other assets and equipment of the Department shall be considered property of the Town of Acton.

9.4. Acceptance. of Gifts: If any funds or other assets and equipment are given to the Town or Department as conditional gifts, then the Selectmen at town meeting shall comply with all conditions of Title 30-A M.R.S.A. §5654, as amended. All unconditional gifts shall be considered at town meeting in accordance with Title 30-A M.R.S.A. §5655, as amended.

ARTICLE 10 – PRIVILEGES AND IMMUNITIES

10.1. Members of the Acton Fire-Rescue Department shall be entitled to the privileges and immunities provided by the Maine Tort Claims Act, Title 14, M.R.S.A. §8101 et. seq.

10.2. When assisting other municipalities, members of the Acton Fire-Rescue Department shall have the same privileges and immunities as when acting in their own municipality.

ARTICLE 11 - VALIDITY / SEVERABILITY / CONFLICT

11.1 The invalidity of any provision of this ordinance shall not invalidate any other part or provision of this ordinance. If any of the provisions of this Ordinance are inconsistent with the provisions of other Ordinances of the Town of Acton, or any of the provisions of this Ordinance are inconsistent with the provisions of State or Federal law or regulation, the more stringent requirements shall be applicable and controlling. If any inconsistencies exist between the provisions of this Ordinance and the provisions of the By-Laws, Rules and Regulations of Acton Fire-Rescue Department, the provisions of this Ordinance shall govern.

ARTICLE 12 - AMENDMENTS

12.1. This Ordinance may only be amended at any Acton Town Meeting.

ARTICLE 13 – EFFECTIVE DATE

13.1. This ordinance shall take effect upon adoption by the Acton Town Meeting and the proper transfer of assets from the Acton Ambulance Association to the Town of Acton.
(Originally Adopted at a Special Town Meeting 11/10/2015)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Mark Lowell. Motion Carried. Article passed as written.

ARTICLE 14: To see if the Town will authorize the Board of Selectmen to appropriate and expend monies from the undesignated 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 2018-2019. (Maximum expenditure of \$15,000).

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 15: To see if the Town will vote to authorize the Board of Selectmen 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 shall be put out to public bid). Funds received from such sales shall be placed in a Capital Reserve account for the associated department.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 16: To see if the Town will authorize the Board of Selectmen 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.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 17: To see if the Town will vote to put the funds received from the sale of the tax acquired property during the year 2018/2019 into the Capital Improvement Fund.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen, 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 Board of Selectmen determine that foreclosure may encumber the Town.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 19: To see if the Town will vote to have Real Estate and Personal Property taxes first payment come due on October 16, 2018 and the second payment on April 16, 2019.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 20: To see what interest the Town will vote to charge on all taxes after October 16, 2018 and April 16, 2019. Maximum rate of interest allowed is 8 % per annum.

Board of Selectmen Recommends: Approve the article as written with 8% (3-0)

Warrant and Finance Recommends: 8% interest (6-0)

Paul Poyant made a motion to approve the article with 8% per annum; seconded by William Williams. Motion Carried. Article passed with 8%.

ARTICLE 21: To see if the Town will vote to set the interest rate to be paid by the Town on abated taxes at 4 %, pursuant to 36 M.R.S.A. 506-A.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 22: To see if the Town will vote to authorize the Tax Collector to accept the pre-payment of taxes before the Tax Commitment with no interest.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 23: To see if the Town will vote to authorize the Board of Selectmen 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.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 24: 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 the snowmobile trails, on condition that those trails are to be open to the public for outdoor recreation purposes at no charge.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 25: To see if the Town will vote to appropriate revenues received from MEMA/FEMA claims during the upcoming Fiscal Year into the Emergency Disaster Reserve Fund. Said funds are to be utilized at the discretion of the Board of Selectmen to restore budgets of the various departments for expenses incurred during a declared event.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 26-A: To see if the Town will vote to allow the Selectmen to enter into the following agreement with property owners on Flat Ground Road.

This Agreement entered into with an effective date of _____, 2018 by and among THE INHABITANTS OF THE TOWN OF ACTON, a Maine municipal corporation (the Town), and _____ being all of the owners of property located on Flat Ground Road in said Town of Acton (the Landowners).

The purpose of this Agreement is to clarify the status of Flat Ground Road (the Road) and to establish the extent of the Town's responsibility to improve and maintain the Road.

For the purposes of this Agreement only, the parties agree that the following facts are true:

1. In April, 1862 what is now Flat Ground Road was laid out as a public way.
2. At a town meeting held on March 12, 1960 the Town voted to close Flat Ground Road subject to gates and bars.
3. In the mid to late 1960's the Town resumed maintenance activities on the Road.
4. In 1978 the Road appeared on a list of private roads compiled by the Board of Selectmen in connection with a statement of policy regarding winter maintenance of private roads.
5. In 2005 the Town stopped maintaining the Road to comply with the directive of the Maine Supreme Judicial Court entered in Opinion of the Justices of the Supreme Judicial Court, 560 A.2d 552 (Me. 1989) that municipalities violated the "public purpose" limitation of the Maine Constitution by using municipal funds to maintain private roads.

The Town contends that the events described in Item 2 above constituted a discontinuance of the Road with the result that the Road was thereafter a private way subject to a public easement. The Town further contends that this interpretation is supported by the events described in Items 4 and 5.

The Landowners contend alternatively (i) that the events described in Item 2 constituted a temporary closing of the Road and not a discontinuance so that the Road retained its status as a public way; or (ii) that the events described in Item 2 constituted an attempt to discontinue the Road which was ineffective due to failure to comply with the requirements of Title 23 M.R.S. §3026 with the result that the Road remained a public way; or (iii) the Town's continuing maintenance post discontinuance acted to restore the Road's status as a public way.

The parties acknowledge and agree that a genuine dispute exists regarding the status of the Road and the parties desire to avoid the costs and uncertainties of potential litigation by entering into this Agreement. Therefore, the parties agree as follows:

1. The Town shall repair and improve the Road and its drainage facilities by filling, grading and ditching up to a maximum cost of \$20,000. The work to be performed pursuant to this item will not include widening the traveled way or altering the surface materials of the traveled way.
2. The Town shall hereafter maintain the Road by grading and repairing the surface of the traveled way and repairing the drainage facilities as needed. Winter maintenance shall include snow plowing.
3. The Landowners shall provide the Town with any easements or other rights of access, whether permanent or temporary, which the Town in its discretion deems necessary to the performance of the work required by Items 1 and 2.
4. By their signatures hereon the Landowners, for themselves and their heirs, successors and

assigns, do hereby waive and release any claim, whether based upon the facts set forth above or any other facts known or unknown, that the Town has any obligation to repair or maintain the Road beyond those obligations undertaken by the Town in this agreement.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (5-1)

Carol Long made a motion to amend to read, To see if the Town will vote to allow the Selectmen to enter into the following agreement with property owners on Flat Ground Road, ending at Map 227 Lot 001, currently owned by Irene Snyder.; seconded by Percival Perry. Motion carried. Article passes as amended.

ARTICLE 26-B: To see if the Town will vote to raise and appropriate **\$20,000** for **repairs and improvements to Flat Ground Road**, contingent upon the Town and property owners reaching agreement as previously voted upon in Article 26-A.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

Carol Komezubumwe made a motion to approve the article as written; seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 27: To see if the Town will vote to raise and appropriate **\$893,613** for **GENERAL GOVERNMENT** for wages, operational costs, and employee benefits for the following departments:

| | | <i>Estimated need</i> |
|--------|-------------------------------|-----------------------|
| 102-01 | Governing Body/Selectmen | \$ 29,389 |
| 102-02 | Town Gym | \$ 4,550 |
| 102-03 | Office Assistants | \$ 50,033 |
| 102-04 | Warrant and Finance Committee | \$ 266 |
| 102-05 | Municipal Management | \$ 480,926 |
| 102-07 | Elections | \$ 6,883 |
| 102-08 | Registrar of Voters | \$ 4,570 |
| 102-11 | Finance/Treasury | \$ 50,473 |
| 102-12 | Town Administrator/TC/TC | \$ 86,720 |
| 102-13 | Assessment | \$ 41,400 |
| 102-15 | Land Use | \$ 138,403 |

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 28: To see if the Town will vote to raise and appropriate **\$4,108** for **HEALTH & WELFARE**, this includes \$108 for Health Officer Stipend cost and \$4,000 for General Assistance. (Dept 103)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 29: To see if the Town will vote to raise **\$5,000** to be placed in the **CAPITAL IMPROVEMENT FUND**.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (2-4), motion fails

William Williams made a motion to approve the article as written, seconded by Elise Miller. Motion Carried. Article passed as written.

ARTICLE 30: To see if the Town will vote to raise and appropriate up to **\$8,800** for the purchase and installation of a **GENERATOR** at the Town Hall. (Dept 117)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: \$8,800 for a standby - LP generator (5-1)

William Williams made a motion to approve the article as written, seconded by Elise Miller. Motion Carried. Article passed as written.

ARTICLE 31: To see if the Town will vote to raise and appropriate **\$613,619** for wages and operation expenses of the **FIRE-RESCUE DEPARTMENT**. (Dept 104-03)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 32: To see if the Town will vote to raise and appropriate **\$56,502** to purchase **9 new SCBA packs** for the **FIRE-RESCUE DEPARTMENT**. (Dept 104-03)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

Following Article 32, Elise Miller made a motion to take Article 77 out of order, seconded by Carol Komezubumwe. All in favor. Motion Carried.

ARTICLE 33: To see if the Town will vote to raise **\$5,000** to be placed in the **FIRE DEPARTMENT CAPITAL IMPROVEMENT(Truck) FUND** for the future purchase of a new fire truck. (Dept 117)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve article as written (3-3), Motion Fails

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 34: To see if the Town will authorize the Selectmen to withdraw and spend up to **\$70,000** for the purchase of a **FIRE UTILITY TRUCK** from the **FIRE DEPARTMENT CAPITAL IMPROVEMENT(Truck)FUND**. (Dept 117)

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve article as written (3-3), Motion Fails

Elise Miller made a motion to approve the article as written, seconded by Richard Smith. Motion Carried. Article passed as written.

ARTICLE 35: To see if the Town will raise and appropriate the sum of **\$34,544** for wages and operational costs of the **ACTON PUBLIC ACCESS TV**, *also known as APAT*. (Dept 111)

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 36: To see if the Town will vote to raise and appropriate **\$45,208** for **PUBLIC SAFETY** to be expended as follows:

| <u>Account</u> | <u>Department</u> | |
|----------------|-------------------|------------------|
| 104-07 | Street Lights | \$ 1,700 |
| 104-09 | Animal Control | \$ 10,532 |
| 104-30 | Communications | \$ 31,683 |
| 104-40 | EMA Director | \$ 1,293 |
| TOTALS: | | \$ 45,208 |

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 37: To see if the Town will vote to raise **\$12,963** and appropriate up to **\$16,363** for operation of the **RECREATION DEPARTMENT**, with \$3,400 to come from anticipated revenues. (Dept 113)

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

Elise Miller made a motion to approve the article as written, seconded by Carol Komezubumwe. Motion Carried. Article passed as written.

ARTICLE 38: To see if the Town will vote to pay wages and equipment for **repair and maintenance of public ways** according to the following schedule: (*Note: * indicates a change from current year*)

Wages

| | |
|--|--------------------|
| Road Commissioners | \$30.00 per hour |
| Laborer, | \$11-\$18 per hour |
| Operators, CDL Drivers | \$18-\$22 per hour |
| Wages to be paid at the rate of 1.5x (time and a half) on major holidays and when plowing and sanding. | |

General Equipment

| | |
|-------------------------------------|------------------------|
| Backhoe 2WD | \$44.80 per hour |
| Backhoe 4WD | \$54.80 per hour |
| Loaders (base rate for 1 yd loader) | \$37.40 per hour |
| Loaders over 1 yd capacity add | \$22.15 per hour |
| Loader at stockpile | \$ 2.50 per yard |
| Grader GVW 21,000 | \$75.00 per hour |
| Chainsaw & hand held power tools | \$ 6.98 per hour |
| Mowing Tractor/sickle bar/rake | \$40.00 per hour |
| Trucks 1-2 cubic yds | \$34.00 per hour* |
| Trucks 3-4 cubic yds | \$39.00 per hour* |
| Trucks 5-7 cubic yds | \$44.00 per hour* |
| Trucks 12 cubic yds | \$54.00 per hour |
| Tri Axle/10 Wheeler | \$64.00 per hour |
| Patrol Trucks | \$27.85 per hour |
| Excavators up to 20,000 lbs | \$67.65 per hour |
| Excavators over 20,000 lbs | \$77.65 per hour |
| Excavators over 40,000 lbs | \$97.65 per hour |
| Multi-use Tractors | \$51.65 per hour |
| Equipment Attachments | \$10.00 per attachment |

Winter Road Maintenance Equipment

| | |
|-------------------------------------|-------------------|
| 2WD 26,000 GVW + | \$55.22 per hour |
| 4WD 26,000 lbs GVW and over | \$57.65 per hour |
| 10 Wheeler | \$64.00 per hour |
| 4WD 1 Ton up to 12,499 GVW | \$43.37 per hour |
| 4WD 1 Ton between 12,500-25,999 GVW | \$48.37 per hour* |
| ¾ Ton Truck | \$38.60 per hour |
| Trucks with wing add | \$ 5.00 per hour |
| Contractor owned sander 2.5yd | \$ 5.00 per hour |
| Contractor owned sander 6-12yds | \$10.00 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 exclusively for maintaining Town of Acton 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/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.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

**Paul Poyant made a motion to amend the article to remove the word "and" in the line below:
Wages to be paid at the rate of 1.5x (time and a half) on major holidays and when plowing and
sanding. Seconded by Lois Michaud, amended motion carried, article passed as amended.**

ARTICLE 39: To see if the Town will vote to raise **\$250,732** and appropriate **\$276,100** with \$25,368 to be appropriated from State LRAP funds for Surfacing/Reconstruction for **DISTRICT ONE ROADS** to be expended as follows:

| | | |
|--------|--|-----------|
| 105-10 | District 1 Winter Maintenance | \$ 84,183 |
| 105-12 | District 1 Summer Maintenance | \$ 92,917 |
| 105-14 | District 1 Road Surfacing/Reconstruction | \$ 99,000 |

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (1-5); Motion Failed.

**William Williams made a motion to approve the article with the following amendment;
amendment seconded by Rollin Waterhouse.**

To see if the Town will vote to raise \$250,732 and appropriate \$276,100 with \$25,368 to be appropriated from State LRAP funds for Surfacing/Reconstruction for DISTRICT ONE ROADS to be expended as follows:

| | | |
|---------------|---|------------------|
| 105-10 | District 1 Winter Maintenance | \$ 84,183 |
| 105-12 | District 1 Summer Maintenance | \$ 92,917 |
| 105-14 | District 1 Road Surfacing/Reconstruction | \$ 99,000 |

Funds per 105.12 and 105.14 will be frozen until the District One Road Commissioner submits to the B.O.S.:

- 1. A satisfactory list of planned projects for FY 2018-2019;**
- 2. The type of work to be done on each project by Acton crews or subcontractors;**
- 3. The estimated cost of each project.**

The B.O.S. will make this information available to the public.

Amendment passed as recommended. Amended Motion Carried.

ARTICLE 40: To see if the Town will vote to raise **\$250,732** and appropriate **\$276,100** with \$25,368 to be appropriated from State LRAP funds for Surfacing/Reconstruction for **DISTRICT TWO ROADS** to be expended as follows:

| | | |
|--------|--|-----------|
| 105-20 | District 2 Winter Maintenance | \$ 84,183 |
| 105-22 | District 2 Summer Maintenance | \$ 92,917 |
| 105-24 | District 2 Road Surfacing/Reconstruction | \$ 99,000 |

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 41: To see if the Town will vote to raise and appropriate \$147,460 for **SHARED ROAD ACCOUNTS** to be expended as follows: (Dept 105)

| | | |
|--------|---------------------------------|------------|
| 105-30 | Stockpile-Sand/Salt | \$ 132,422 |
| 105-32 | Public Works Building/Equipment | \$ 15,038 |

Board of Selectmen Recommends: Approve the article as written (2-1)

Warrant and Finance Recommends: Approve the article as written (6-0)

Elise Miller made a motion to amend the article to read:

To see if the Town will vote to raise and appropriate \$135,038 for SHARED ROAD ACCOUNTS to be expended as follows: (Dept 105)

| | | |
|---------------|--|-------------------|
| 105-30 | Stockpile-Sand/Salt | \$ 120,000 |
| 105-32 | Public Works Building/Equipment | \$ 15,038 |

Seconded by Cindy Hart. Motion Carried. Article passed as amended.

ARTICLE 42: To see if the Town will vote to raise and appropriate **\$20,000** for the preliminary inspection and/or design of the **ROWE BRIDGE** on Hopper Road and any necessary small repairs on the bridge that may fall within this budget.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Rollin Waterhouse. Motion Carried. Article passed as written.

ARTICLE 43: To see if the Town will vote to raise and appropriate **\$50,000** for a **STATUTORY RESERVE FUND** pursuant to Maine Revised Statute, Title 30-A, Chapter 223, subchapter 7, section 5801-1 to assist **Road Associations** in preventing storm runoff pollution from reaching great ponds, as authorized by 23 M.R.S.A . § 3106. Road associations formed pursuant to 23 M.R.S.A . § 3106 or Title 13-B are eligible for funding. If the requirements of 23 M.R.S.A . § 3106 are met, as determined by the Board of Selectmen and/or the Maine Department of Environmental Protection, the Town shall fund the proposed repair until or unless the \$50,000 fund is exhausted.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

Jeffrey Donahue made a motion to amend the article to change the following statement to read, 23 M.R.S.A . § 3106 and Title 13-B; amended seconded by Herbert Clark. After discussion, the amendment failed. William Williams made a motion to approve the article as written, seconded by Leslie Berlan. Motion Carried. Article passed as written.

ARTICLE 44: To see if the Town will vote to raise and appropriate **\$278,390** for the operation of the **TRANSFER STATION**. (Dept 105-40)

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 45: To see if the Town will vote to raise and appropriate **\$63,000** to pave the **PARKING LOT** at the Transfer Station.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 46: To see if the Town will vote to raise and appropriate **\$250** for general operation of the **CONSERVATION and FORESTRY COMMITTEE** and to carry forward any unexpended funds. (Dept 106)

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 47: To see if the Town will vote to raise and appropriate **\$3,000** for the costs of a **FOREST MANAGEMENT PLAN** on Town Forest land located on Tax Map 245 Lot 002; and to approve that any unexpended funds as well as any potential revenues generated from the future timber harvesting activities on this parcel are to be placed into the **FORESTRY RESERVE ACCOUNT**.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (0-6); Motion Failed.

Lois Michaud made a motion to approve the article ending after Tax Map 245 Lot 002. Seconded by Rollin Waterhouse. Motion failed.

Elise Miller made a motion to approve the article as written, seconded by Wesly Ham. Motion Carried. Article passed as written.

ARTICLE 48: To see if the Town will vote to raise and appropriate **\$538** for **PLANNING & DEVELOPMENT** to be expended as Forester's Stipend. (Dept 107)

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Tom Cashin. Motion Carried. Article passed as written.

ARTICLE 49: To see if the Town will vote to raise and appropriate up to **\$311,610** for **COUNTY TAX**. (Dep 108)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 50: To see if the Town will vote to raise and appropriate **\$2,800** for **CEMETERY** maintenance, placement of flags, markers, and repair of Veteran's graves and to carry forward any unexpended funds. (Dept 109-01)

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (4-0-2)

William Williams made a motion to approve the article as written, seconded by Leslie Berlan. Motion Carried. Article passed as written.

ARTICLE 51: To see if the Town will vote to raise and appropriate **\$1,600** for donation to **York County Community Action** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Richard Nass. Motion Carried. Article passed as written.

ARTICLE 52: To see if the Town will vote to raise and appropriate **\$1,000** for donation to **Home Health Visiting Nurses** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 53: To see if the Town will vote to raise and appropriate **\$1,600** for donation **Southern Maine Agency on Aging** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 54: To see if the Town will vote to raise and appropriate **\$500** for donation to the **Trafton Center** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Appropriate \$300 (6-0)

Elise Miller made a motion to approve the article as written, seconded by Arlene. Motion Carried. Article passed as written.

ARTICLE 55: To see if the Town will vote to raise and appropriate **\$1,000** for donation to the **American Red Cross** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 56: To see if the Town will vote to raise and appropriate **\$400** for donation to **Child Abuse Council, Kids Free to Grow program** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 57: To see if the Town will vote to raise and appropriate **\$500** for donation to **York County Shelter Program** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 58: To see if the Town will vote to raise and appropriate **\$612** for donation to **Lifeflight Inc** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 59: To see if the Town will vote to raise and appropriate **\$20,742** for donation to the **Acton Public Library** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Cindy Hart. Motion Carried. Article passed as written.

ARTICLE 60: To see if the Town will vote to raise and appropriate **\$22,000** for donation to **Acton Shapleigh Youth Conservation Corp** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Cindy Hart. Motion Carried. Article passed as written.

ARTICLE 61: To see if the Town will vote to raise and appropriate **\$10,000** for donation to **Acton Wakefield Watershed Alliance** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 62: To see if the Town will vote to raise and appropriate **\$300** for donation to **Saco River Corridor Commission** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 63: To see if the Town will vote to raise and appropriate **\$734** for donation to **Caring Unlimited** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 64: To see if the Town will vote to raise and appropriate **\$1,000** for donation to **Maine Behavioral Health** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 65: To see if the Town will vote to raise and appropriate **\$500** for donation to **Sexual Assault Response Agency** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 66: To see if the Town will vote to raise and appropriate **\$2,000** for donation to the **Acton-Shapleigh Historical Society** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 67: To see if the Town will vote to raise and appropriate **\$1,000** for donation to **Southern Maine Veteran's Cemetery Memorial Association** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

Elise Miller made a motion to approve the article as written, seconded by Cindy Hart. Motion Carried. Article passed as written.

ARTICLE 68: To see if the Town will vote to raise and appropriate **\$2,000** for donation to the **Great East Lake Improvement Association** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 69: To see if the Town will vote to raise and appropriate **\$2,500** for donation to the **Acton Ecumenical Food Pantry** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)

Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 70: To see if the Town will vote to raise and appropriate **\$5,000** for donation to **Balch Lake Improvement Association** as requested by the Agency.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

**William Williams made a motion to approve the article as written, seconded by Lois Michaud.
Motion Carried. Article passed as written.**

ARTICLE 71: To see if the Town will vote to raise and appropriate **\$16,025** for **DAMS** to be expended as follows: (Dept 109-50)

| | |
|---|---------------|
| Mousam Watershed Dam Coalition Annual Maintenance | \$ 5,475 |
| Mousam Watershed Dam Coalition 2018 Capital Plan | \$ 5,000 |
| Dams Capital Improvement Fund | \$ 5,000 |
| Balch Lake Dam Operator Stipend | <u>\$ 550</u> |
| | \$16,025 |

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

**William Williams made a motion to approve the article as written, seconded by Lois Michaud.
Motion Carried. Article passed as written.**

ARTICLE 72: 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 for the ensuing year:

Cemetery Fund
Dist. 1 & Dist. 2 Road Surfacing and Reconstruction
Dist. 1 & Dist. 2 Summer Maintenance
FEMA- Emergency Disaster Reserve Fund
Forestry and Conservation Committee
Gravel Processing
LRAP Funds

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

Ambulance Reserve Fund
Capital Improvement Fund
Dams Capital Improvement Fund
Forestry Reserve Fund
Fire Dept Capital Improvement Fund (*Truck*)
Recreation Capital Improvement Fund

*The following non-fiduciary 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, Gym Donations Fund.*

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

Warrant and Finance Committee Recommends: 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 for the ensuing year:

Cemetery Fund
Dist. 2 Road Surfacing and Reconstruction
Dist. 2 Summer Maintenance
FEMA- Emergency Disaster Reserve Fund
Forestry and Conservation Committee
LRAP Funds

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

Ambulance Reserve Fund
Capital Improvement Fund
Dams Capital Improvement Fund
Forestry Reserve Fund
Fire Dept Capital Improvement Fund (*Truck*)
Recreation Capital Improvement Fund

Board of Selectmen Recommends: Approve the article as written (3-0)

Elise Miller made a motion to approve the article as written; seconded by Kim Stacey-Horn. William Williams made a motion to amend the article to remove Gravel Processing from the list; amended seconded by Cindy Hart. Motion passed as amended.

ARTICLE 73: To see if the Town will 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.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 74: To see if the Town will vote to appropriate up to **\$737,750** from Fiscal Year 2018-2019 Municipal Revenues to reduce the amount to be raised by taxation during the tax commitment.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 75: To see if the Town will vote to appropriate excess funds from the Municipal Undesignated Fund Balance to reduce the amount to be raised by taxation during the tax commitment, contingent on the Municipal Fund Balance Policy and there being a surplus at the end of the Fiscal Year.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 76: To see if the Town of Acton will authorize the transfer of excess funds from the School's Undesignated Fund Balance to reduce the amount to be raised by taxation during the tax commitment, contingent on the Acton School Department Fund Balance Policy and there being a surplus at the end of the Fiscal Year.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Recommends: Approve the article as written (6-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

ARTICLE 77: To see if the Town will vote appropriate up to \$13,419 from the Recreation Capital Improvement Fund for expenses to purchase and erect a flagpole and have electricity and security lighting installed at the Town of Acton Recreations Fields on Route 109.

Board of Selectmen Recommends: Approve the article as written (3-0)
Warrant and Finance Committee Recommends: Approve the article as written (5-0)

William Williams made a motion to approve the article as written, seconded by Lois Michaud. Motion Carried. Article passed as written.

Signed this 22 day of May, 2018.

Elise Miller
Kimberly Stacey-Horn
Edward Walsh

True Attested Copy
ss/Jennifer Roux