



Minutes
Selectman Workshop
Tuesday, August 12, 2014

I. Call to Order/Roll Call:

Vice-Chairman George Jellison presided with Selectmen Thomas Benson, Lydia Goetze, David Mincton and Town Manager Don Lagrange. Dan Norwood was excused.

II. Visitors to be heard not on the agenda

There were no visitors to be heard

III. Approval of Minutes: July 8, 2014

Tom Benson moved to accept the minutes of July 8, 2014. It was seconded by Lydia Goetze and voted in favor 3/0/1 with David Mincton abstaining.

IV. Manager's Report

~ Salt bid commitment for 14-15 season is 400 tons. Previous bid estimates were based on 375 tons but usage this past winter exceeded 460 tons. The lowest bid price received by Hancock County Planning Commission was received from International Salt again this year at \$60.37/ton. Last year, we paid \$57.06/ton. The Town spent \$26,358 against a budget of 25,360. This year's budget is \$24,000.

~ Mr. Brian Whitney, Director of the Maine Economic Community Development Corporation visited us on Thursday, July 17, 2014 to discuss the recent application to the State for the 'Open for Business' program. He was very pleased with the application however it needed a bit of polishing with more specifics regarding the town's efforts with economic development. Nelia is putting together a meeting. See attached letter.

~ Jordans agreed to provide the Town with 60-70 yards of millings to be used on Cable Crossing. This will reduce required 1" minus to regrade the road.

~ Hazardous tree on Dirigo Road in ROW was leaning toward residence and uprooting under pavement. Kris Harper was called on to take tree down for \$1,500.

~ Construction workshop will be held on August 12 at 4:00 PM at the Town office. Only two Selectmen should be present due to legal requirements.

~ The water department received a full waiver from some monthly test requirements resulting in savings of approximately \$3,600 per year. The term of the waiver is 2014-2016. See attached.

~ A policy for Boards and Committees volunteers should require interviews in executive session to protect the person's privacy rights or the person's reputation. See attached email memo.

~ In the next two weeks, a service is planned for the Carroll property on Maple Lane. The existing service runs through the property on the corner. This will cause some traffic issues limiting to one lane with some possible closure.

V. Old Business:

A motion was made by Tom Benson to take items a, b, c & d in new business out of order to expedite for the benefit of applicants. It was seconded by David Minton and voted in favor 4/0/0.

- a. David Minton moved to approve the renewal liquor application for XYZ Restaurant. Seconded by Lydia Goetze and voted in favor 4/0/0.
- b. David Minton moved to approve the new liquor application for Joyce McCusky, dba Dockside, LLC. It was seconded by Tom Benson and voted in favor, 4/0/0.
- c. David Minton move to approve the amusement permit as presented by Joyce McCusky, dba Dockside, LLC. Seconded by Tom Benson and voted in favor 4/0/0.
- d. A motion by Lydia Goetze was made for a Harbor Ordinance warrant to include a section on houseboats as submitted. Seconded by Tom Benson and voted in favor 4/0/0. Also, a motion was made by Lydia Goetze to place changes in the fishing rules off town piers on a warrant to allow fishing from 8AM to 5PM. Harbormaster Thurston stated he will post signs stating rules to remove lines from oncoming vessels. Seconded by David Minton and voted in favor 4/0/0.

Old Business (continued)

a. Main Street Construction, Village Green Egress

Lagrange stated the town has a 24' ROW only as access known as Village Green Way and the south turning lane was improperly installed due to the town not having an easement to that area. Unfortunately, as assumption to town authority was based on the continued snowplowing of the area, which by law requires the town owning the area in fee or provided for in an easement. Although a 1991 deed stated maintenance and snow removal would be done between the building and the right of way, the language in the deed was not specific to provide the town with the rights to maintain and remove snow in the area adjacent to the Gordon White building which provides parking spaces. According to legal, quoting the constitution and opinion of the law court, no local documents can create language short of an easement or fee for the town to maintain and plow private property. However, due to the apparent will of the town in 1991, the Selectmen advised owners of the property who were in attendance to discuss the issue further with Lagrange to find a resolution.

John Stanley questioned the assessment of the property and ROW and how it affected their property. Lagrange responded he would consult with town assessors and provide the answers.

b. Boards and Committees

A list of boards and committees was provided indicating a lack of volunteer participation especially in the warrant and comprehensive plan implementation committees. Lagrange opined other boards to be reasonably staffed with volunteers.

VI. New Business (continued)

e. FY 13-14 Budget Overview

Lagrange stated anticipated surplus to be approximately \$250,000 from the FY13-14 fiscal year. From those surplus funds, Lagrange requested \$45,000 to be debited from the Debt Service, 425-5000-50 account and credit \$25,000 to Highway, 460-5000-50; \$5,000 to Police Department, 475-5000-50; and, \$15,000 to the Legal reserve, 1-220-06. Line numbers 5000-50 was established so as not to skew the actual line items of each department. A motion was made by Lydia Goetze and seconded by Tom Benson, voted in favor 4/0/0.

f. Personnel Policy, Vacation Accrual

Lagrange requested an amendment to the personnel policy to make specific the terms of vacation accumulation and the basis for accrual. Tom Benson moved to accept the recommendation to amend the personnel policy, seconded by David Mincton and voted in favor, 4/0/0.

g. MRC Landfill Application

A consensus of the Board was made to support MRC initiative to develop a landfill in the Argyle/Greenbush area in their application to the DEP.

h. A motion was made by Lydia Goetze to approve the re-appointment of Charles Morrill to the Board of Appeals. Seconded by David Mincton and voted in favor 4/0/0.

i. A motion was made by David Mincton to re-appoint Ben C. Worcester, III to the Acadia Advisory committee. Seconded by Tom Benson and voted in favor 4/0/0.

j. A motion was made by David Mincton to re-appoint Corey Pettegrow to the Harbor Committee. Seconded by Tom Benson and voted in favor 4/0/0.

k. A motion was made by David Mincton to re-appoint Andy Mays to the Harbor Committee. Seconded by Tom Benson and voted in favor 4/0/0.

VII. Other Business

Lydia Goetze suggested placing a fireworks ordinance on the next agenda. Acting Chairman Jellison stated the Board had adopted the State model fireworks ordinance to be enforced by the Police Department. Chief Chapais discussed the complaints had dwindled from the high of 50 when fireworks first legalized to approximately 6-9 complaints, mostly regarding noise. To inform the public, Goetze suggested the state rules be put into the next newsletter.

VIII. Accept & Sign Warrants:

Thomas Benson moved to accept the following warrants, seconded by David Mincton and voted in favor 4/0/0.

General Fund Warrants, **FY13-14: 190**

General Fund Warrants, **FY 14/15: 15, 16, 18, 22**

Sewer **FY13-14: 191**

Sewer **FY 14/15: 21**
Water **FY2014: 16**
Special Projects **FY 14/15: 19, 20**
School **FY13-14: 182**
School, **FY 14/15: 17**

IX. Next Meeting Date:

A special public meeting will be held on August 26, 2014 at 5:00 PM to discuss the Main Street Project. The regular Selectmen meeting will follow the public meeting. The meeting will take place at the Fire Station.

X. Adjourn Selectmen Meeting

It was moved by Thomas Benson to adjourn meeting at 7:47 PM, seconded by David Minton and voted in favor 4/0/0