

Selectmen/Assessors Meeting Minutes  
May 24, 2016

**Board Present:** Greg Grotton, Elmer Savage, Jim Justice and John Shepard. Lyle Cramer in at 6:45PM.

**Also Present:** Jay Feyler, Roger Therriault, Valerie Burns, Eva Burns, Thomas Belyea, Grant Watmough, Maria Pease, Laura Curtis, Gerald Brooks, Dale Flint, Bonnie Robinson, Lori Carlson, Lawrence Nash, Robin Milliken, Mary Jane West, Jim Ianello, Scott Farley, Anna Farley, Joel Moore, Elaine Frost, Cindy Schofield, Holly Savage and Deb MacDonald.

1. **Call Selectmen's Meeting to order:** by Chair at 6:30PM.
2. **Pledge of Allegiance:** given by all who wished.
3. **Open Public Hearing on FEMA Flood Plain Ordinance:** The Chair opened Public Hearing at 6:31PM.  
CEO Grant Watmough gave a brief overview of the Flood Plain Ordinance. New Flood Plain Maps have been developed for all of Knox County. In looking over the draft we had from last year we found four properties that at least appeared not to be in the Flood Plain but now with the new Maps maybe in the Flood Plain. We have notified those people by mail and got no response other than that the new maps mirror the old maps currently being used almost exactly. We don't have a choice the maps are going to be ours to deal with. We currently have a Flood Plain Ordinance this is a draft of the new one. There are some changes they are all related to the references in the new maps. We currently use the draft from the State Flood Plain Program. The new draft has one change in it from what the State sent us. It came with our old fee structure and, we asked to change that. Grant talked to the State about that and it now has been changed to say the fees are set by the Board of Selectmen. That's the only change we made in the draft. We have until July 6th to adopt the Ordinance otherwise we become suspended from the Flood Plain program. Maria Pease, Planning Board Chair added and we lose our Insurance. So people who have Flood Plain Insurance would end up losing that Insurance at least for awhile. That's why we are here tonight. Greg asked for comments. Hearing none he closed the Public Hearing.
4. **Close Public Hearing:** Public Hearing closed at 6:35PM. Motion James Justice to sign Flood Plain Ordinance. Seconded John Shepard. Unanimous.
5. **Public Comment:** there was none.
6. **Approve Minutes of May 3, 2016:** Motion James Justice to approve May 3, 2016 minutes as written. Seconded John Shepard. Unanimous.

**7. Discussion with Town Attorney and committee members re: Animal Control**

**Ordinance:** Jay noted we said we would revisit it this year we should have done this a little earlier. If the Board does decide to change the Ordinance it will not end up on the June Warrant because the Board is signing the Warrant tonight. This goes back to the original discussion with Roger about the exemption of State Licensed Facilities. Jay thought that State Licensed Facilities were exempt so in fairness the Board has brought it back. Roger is here because he was part of all those meetings. It's a very simple fix if the Board wants to do it. If they don't want to do anything they can have Roger add one little line in there that states State Licensed Facilities are exempt. Roger said regardless of what the Town does they are subject to State Regulations in this particular case. They have to conform to the State Regulation regardless of whether we exempt them or not. Roger said he wants to look more closely at the State Regulations to make certain he is stating that correctly. Elmer asked who would enforce the State Statutes on that. Greg said what we are dealing with right here is do we want to make a State Licensed Facility comply with our Ordinance. Jay said right now they do, it's to see if you want to exempt State Licensed Facilities from our Ordinance. If you exempt them from that they just follow the State guidelines, we don't deal with the enforcement issue they would. Roger added if you were to exempt the State Licensing Facility and there was a complaint the complaint would be referred to the State folks, we would not be responsible. Scott Farley said there is no State Regulating Board for barking dogs. There is no State Board that does this. Elmer said that seems an odd comment to make if there were no State Regulation he would be inclined to go along with letting the State handle the situation but if you're saying as far as the State goes it's the Wild West. Scott Farley said all he's saying if there is no State Ordinance, that's why the Committee enacted this Ordinance so there would be some standards. John Shepard asked Roger do you agree with that, there is no State Ordinance. Roger said I do not; we need to be certain what the State Ordinance is and not make a decision until we know exactly. John would like to have our Animal Control Officer present before we make any decisions. Greg asked do you have a State License Scott said yes. Roger will review the State Licensing Procedures and issue a memo so that everyone is on the same page. Lawrence Nash said the Town Ordinance should be left in place as it is and enforce it as it's written. The whole thing behind it was to control barking dogs we did that and there are no exceptions. Greg said if we can't get this before the Town this year in his opinion the kennel can continue to operate. Elmer said he doesn't think anyone is looking to stop it from operating. Greg asked, has there been harassment. Farley asks what do you mean by harassment. Is someone coming to threaten you because the dogs are barking? Scott said yes. That would be an issue Greg would be calling the cops on. They won't even show up. Scott talked to the Animal Control Officer Suzanne on the phone she felt that Scott's wife and employees were in danger and that Scott should call the Sheriff. Greg said we need to talk with Suzanne White. Scott had notes in the mail. Do you know where they are coming from? I know exactly where they are coming from. Are they signed Greg asks, the individual walked in and handed it to an employee. Greg asks for documentation. We have the note and he has the highlighted Ordinance. Lawrence Nash spoke up and said that individual would be me and this may not be the time and place for an explanation. John Shepard said we need

more information before we go any further. Motion James Justice to table this. Seconded John Shepard. Unanimous.

8. **Discussion on TCC Insurance and lease concerns/with Town Attorney:** The Board has been provided with the TCC Lease and a note from our Insurance carrier that on July 1<sup>st</sup> they are reducing the TCC replacement value from \$4,324,273 to \$ 1,011,145. Lack of maintenance to the building is the reason they are doing this. MMA did say if the Town or TCC come up with the funds they would reconsider putting it back into regular insurance. If that building costs \$8,000,000 to replace we would get the \$8,000,000 but on July 1<sup>st</sup> the maximum amount would be \$1,000,000. In the Lease Article 19 the lessee agrees to make all the repairs appropriate to maintaining the property in as good an order as stipulated in the Lease. It's the Town Manager's job to inform the Board of Selectmen there are violations of the Lease and it's the Boards job what to do with them. The way Jay reads it the TCC would have to come up with an additional \$3,000,000 for Insurance. Lyle said one of the things we have to do before this is over is to get an Engineers evaluation on what the true worth of that building is right now and what it would cost to bring it back to code and give us a list of things that need to be done. We can't make any of these decisions until we know what we are talking about in terms of numbers. Greg asks who would pay for the Engineers study. Jay said the Town has given you no authority to spend money on that building. Roger noted you have leased that building to the corporation that's part of their responsibility. The problem is the ability to fund that process it's not going to be cheap. Lyle is exactly correct the reason the insurance is being reduced is because the value of the building is being reduced and pulled out from under the Town bundle insurance which is probably more important than the value of the building. An Engineering study basically does two things: one it produces a replacement cost of the building and you obviously need to know what that number is for insurability issues and you need to know what needs to be done structurally. If it has reached the point where Maine Municipal in their inspection says no this isn't in good shape were not going to insure it for what the full value might be. That's a serious issue it leaves you uncovered out there. Trying to get coverage in a secondary market is going to be either impossible or exceedingly expensive. Somehow we've got to get from A to B here and to develop some information there are all sorts of possibilities out there to the point of even closing the building. We don't know how good it is but we need information in order to make those kinds of decisions as to what you want to do. This is something the Town has been involved in that goes way back when it was a school the corporation was set up to manage the building and it appears not to be working. The Board needs to get a handle on this. Lori Carlson Executive Director of the Thompson Community Center reported the biggest holdup has been the Sprinkler System and Fire Alarm System. We have gotten permission from the Fire Marshall's Office to work it into a three phase program. For the first phase we have the actual dollar amount that we need to get the install in place. We were ready to move forward with that a couple of weeks ago however we got the information about the insurance so we put a hold on that. The other issue with MMA Insurance was the structure of our floor which we have reviewed. We received information from Calderwood Engineering today. They said in their inspection of the structural integrity of the gym floor is not a concern at this time. They see no reason to stop using the gym. They will provide a more in depth summary of their findings in the

near future. They did state there are a few things they would suggest to strengthen the floor up. We have other things from the MMA Insurance inspection that we have purchased for however we did not move forward with those due to the fact that our maintenance man who was working on a lot of those things passed away. When we received the information about the insurance and not knowing exactly what that meant for us we held off on those projects. It's a shame to put money into a building when you don't know what the end result will be. We have two Insurance carriers who are willing to pick up the insurance in case MMA does not. Greg suggests the TCC Board come back to the next meeting with possible Insurance information they can afford. Elmer asks what could we do as an action once this coverage goes off, are we going to nullify the lease? That's an option Roger said. At this point they are in default, you could terminate the lease. You've got two issues in the situation: the status of continuing maintenance on the building that's clearly a long term issue that's not going to be corrected in the next 30 days. The other issue is lack of ongoing maintenance has evolved in a situation where the insurance is in jeopardy. You've addressed some of that tonight. You've been presented with some new information tonight and you have 30 days to deal with MMA. You have a report coming that may say the floor is ok. At least the Board can go back and reevaluate the situation. Greg said he doesn't think the Board need to make any decision tonight. Jay asks Roger if this entire Lease was part of an open Town Meeting and they voted on the actual Lease as written would it have to go back to Town Meeting. You need to check on that Roger said. The basic principle there is if the Town Meeting approved the Lease then the Town Meeting would have to vote to change the Lease. If they didn't then it's an Administrative thing the Board can do.

**9. Discussion with Farmers Market Representatives:** Jay reminded the Board parking on the green was the item they wanted to discuss and how it's going to be handled this year. Greg said we do have concerns about the grass we try to maintain that Common, tax payers pay money to maintain the Common. People and their trucks who park on the grass do nothing but ruin it. We brought it to your attention several times last year. If we have problems with it again this year I for one on this Board would recommend we close you down. We've suggested that the vendor's park down at the Church, it's a little walk I know. Another space is behind Camden National Bank that's a big parking lot to park your vehicles there. Lyle asks if the cones that were by the grass last week were the Markets cones. Cindy said yes and they were spread out on that entire strip. We have a new person who we call the Sheriff; he takes care of anything that comes up at the market. We will make him aware to check on the parking too. Jay asked where the cones are located. Cindy said Rt. 235. Jay said he got a call from the DOT last year about vehicles unloading there, that's a State Rd. it's not a Town Rd. The State does not allow vehicles to be stopped there and that's why called him. It was towards the end of the season, but they really shouldn't unload on that road they should unload on the Common Rd. and not stop on 235.

**10. Discussion and approval of State license for Farmers Market:** Motion James Justice to approve State License for Farmers Market. Seconded John Shepard. One abstention (Savage).

- 11. Rabbit Farm Road Engineering Report:** Jay said we will open bids tonight. We will be doing ditching; removing material from Rabbit Farm Rd. not because it's bad material but because it's the difference between Davis Rd. where the road was below all the driveways on this road it's above most of the driveways. We are taking 3 inches of material out; we are reusing that material on Clarry Hill Lane where we have a lot of issues. The town crew will be working with whoever the Contractor is. Shoulders will be variable depending on the width of the road. The pavement will be as it is on the Warren end which is 18ft. We are removing several tree stumps that are on the edge of the road. It's a fairly simple project and should be done in no more than two weeks. The road will be open most of the time except when they are laying down the fabric similar to what was used on Davis Road so fifteen minute closures at the most.
- 12. Appointment of Kenneth Shackford to Recreation Committee:** Motion James Justice to sign Appointment of Kenneth Shackford to Recreation Committee. Seconded Lyle Cramer. Unanimous.
- 13. Vote to close Town Office on June 14<sup>th</sup> Election Day:** Motion James Justice to close Town Office on Election Day. Seconded John Shepard. Unanimous.
- 14. Sign Town Meeting Warrant:** Motion James Justice to sign Town Meeting Warrant. Seconded Lyle Cramer. Unanimous.
- 15. Vote to award bids on Tax Acquired properties:** Parcel #1 Happy Hollow Rd. The high bidder is James Feyler for \$3,777.00. Jay made full disclosure that Jim is his son. Parcel #4 Browns Lane. The high bidder is Dan Brinkler for \$1,300.30. Jay's recommendation is to award these parcels to the highest bidder and issue them a quit claim deed. Motion John Shepard to award the bids mentioned above. Seconded Lyle Cramer. Unanimous.
- 16. Vote to award bids on Rabbit Farm Road Rehabilitation:** Rabbit Farm Bids:  
Farley and Sons \$199,351  
Wellman and Sons \$153,660.80  
Ford Enterprises \$82,250  
Chris Packard \$92,251  
Jay will check the references; the bids will be awarded at the next meeting.
- 17. Discussion and vote on Road Sand Bids:** Jay recommends Hartland for Sand at \$8.75 per yard delivered with an additional \$1.00 per yard to put it up inside the building. Motion Elmer Savage to accept Hartland bid. Seconded John Shepard. Unanimous.
- 18. Discussion and vote on Salt Bids:** Jay recommends Morton Salt \$62.49 delivered. Motion John Shepard. Seconded Lyle Cramer. Unanimous.
- 19. Discussion and vote to use \$7,000 from the Ambulance Equipment Reserve:** Jay recommended the Board bypass this as there is enough money in the Ambulance Operating Budget.

- 20. Discussion and vote on sale of tax acquire property Map 14-013 625 Shepard Hill Rd.:** Jay reported we met with the owner over a month ago she was offered a deal, no vote was taken. She was expected to come back into the office but did not. Jay called her Twice she has not contacted him, she has totally ignored it so, and we're at a point where it has to go up for sale. Lyle said we have offered her a number of possibilities and she hasn't taken advantage of any of them. We have no choice other than to put it up for sale. Motion Lyle Cramer to proceed with the sale of the property. It was suggested the price be a third of the value of the property. Motion Lyle Cramer to proceed with the sale of the property. Seconded John Shepard. Unanimous.
- 21. Update on Comprehensive Plan Committee:** Elmer reported the Committee covered Historic Resources at their last meeting. The Committee is now on summer break, they will reconvene in September. The information on Historic Resources was sent to the Historical Society so they can weigh in on the Historical Resources section and give us some expert advice. Eric will continue to work on this during the summer sending the Committee updates and soliciting our feedback and comments. Eric is doing the financial section of the Financial Resources of the Town getting all the budgeting information from the past five years.
- 22. Sign Treasurer's Warrant dated May 24, 2016:** Motion James Justice to sign Treasurer's Warrant. Seconded Lyle Cramer. Jay said it's actually the payroll warrant Unanimous.
- 23. Other Business:** Jay asked the Board to sign Quit Claim Deeds that were sold back to the original owner.
- 24. Town Managers Report:** there was none.
- 25. Selectmen's Report:** Greg noted Memorial Day Dedication on the Common Monday at 12:00PM.
- 26. Future Agenda Items:** there was none.
- 27. Adjourn:** Motion James Justice to adjourn at 9:00PM. Seconded John Shepard. Unanimous.

These minutes were approved on June 7, 2016 with the following amendments.