

Town of Embden

Minutes of the Board of Selectmen

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March 8, 2011

7:00 PM Meeting held at the Embden Town Office

In attendance was: Wayne McLaughlin, Elizabeth Pratt, Charles Taylor, Scott Leahy, Ruth Blake, Tracy Lesperance, Leo Mayo, Terri Lamontagne, Robert Dunphy, Shawn Cyrway, Michael & Wendy Witham, Frank & Laurie Nile, Lori Creamer, and Bonnie Baker.

- 1 Wayne McLaughlin called the meeting to order at 19:04.
- 2 The meeting began with the Pledge of Allegiance.
- 3 **Consent Agenda:**
 - 3.1 Approved the minutes of the Board of Selectmen dated February 21, 2011, and submitted by Charles Taylor. Accepted as written. (3-0).
 - 3.2 Approved Warrant #5 totaling \$48,169.46. Approved (3-0).
 - 3.3 W. McLaughlin read the results from the Annual Town Meeting (see attached) as submitted by B. Baker.
 - 3.4 C. Taylor stated he would "throw his hat in" for 1st Selectman. W. McLaughlin made a motion (2nd – E. Pratt) to nominate C. Taylor as Chairman for the Selectmen. (3-0)
- 4 **Community Relations, Announcements, and Open Public Forum:**
 - 4.1 **Open Public Forum : None**
- 5 **Appointments & Resignations:** W. Witham asked what the process was to be considered for appointment for a position. She stated that she was interested in Rec. Director. C. Taylor stated that everyone currently holding these appointments had a lackadaisical attendance. He made a motion (2nd – W. McLaughlin) that the positions be put in the newspaper & advertise that anyone interested in appointment appear at the 2nd Selectmen's meeting in March. W. Witham asked what the policy was. C. Taylor replied that there wasn't one in place. He added that job descriptions were needed. He stated that some appointments did need to be done this evening, such as GA, but the rest would be tabled until the next meeting, along with anyone that wasn't here. There was extensive conversation on what the requirements would be for appointed positions. C. Taylor made a motion (2nd – W. McLaughlin) that the Selectmen develop an attendance policy for each appointed position for the next meeting, prior to the appointments. (3-0) C. Taylor stated he would work on policies and job descriptions for the next meeting.
 - 5.1 **Planning Board Members & Alternates:** C. Taylor asked whether the current board was "pretty good right now." L. Mayo replied yes. C. Taylor asked for a motion to continue the appointment of the current Planning Board members until the next Selectmen's meeting. L. Mayo stated that Eleanor Ketchum was interested in continuing her appointment for another 5 year term, and Alton McClamma & Scott Leahy were both interested in alternate positions (1-year). Appointments were tabled until next meeting.
 - 5.2 **Appeals Board Members:** Tabled until next meeting
 - 5.3 **Animal Control Officer:** Currently held by Pam Graf. Tabled until next meeting
 - 5.4 **Code Enforcement Officer:** Currently held by Robert Dunphy. Tabled until next meeting
 - 5.5 **Licensed Plumbing Inspector:** Currently held by Leo Mayo. Tabled until next meeting
 - 5.6 **E-911 Addressing Officer:** Currently held by Eleanor Ketchum. C. Taylor stated he would contact E.Ketchum to see whether she was interested in being reappointed. Tabled until next meeting
 - 5.7 **Child Program Director:** Currently held by Heidi Vicneire. W. Witham submitted her resume for consideration. Selectmen reviewed. Tabled until next meeting
 - 5.8 **Emergency Management Director:** C. Taylor stated that this position was currently held by 2 individuals, Robert Dunphy & John Mullin. He said that this position required certain training, and shouldn't be included in the newspaper posting. Tabled until next meeting
 - 5.9 **Health Officer:** Currently held by Robert Dunphy. R. Dunphy stated that he had 1 year remaining in a 3-year term. C. Taylor read from March 2010 minutes. He stated that the minutes would be assumed to be accurate from March 2010, making this position open for appointment this year. Tabled until next meeting
 - 5.10 **Community Center Committee:** Tabled until next meeting

5.11 General Assistance Officer:

- 5.11.1 S. Leahy submitted reimbursement papers for the Clerk to mail.
- 5.11.2 C. Taylor said he did not feel that he could take this position due to a conflict of interest where he worked for a company that sold heating fuels. He stated that the position did not have to be done by a Selectman, and could in fact be delegated to B. Baker. He added that he felt this made sense because she would be available in the office for people during the day. W. McLaughlin stated he wanted the position. Motion was made by C. Taylor (2nd – E. Pratt) for W. McLaughlin to be appointed as the General Assistance Officer (3-0).

6 Department Officials Reports:

6.1 Board of Assessors –

- 6.1.1 B. Baker submitted abatements from the Assessors. Selectmen reviewed and signed.
- 6.1.2 C. Taylor welcomed Terriann Lamontagne to the Board of Assessors. He stated that he wanted her to be aware that the Assessors should “hit the overlay as hard as they can because we had a lot of abatements every year.”
- 6.1.3 C. Taylor asked how many years an abatement could go back. B. Baker answered 3 years. T. Lamontagne asked whether that was just an Embden policy. B. Baker stated she believed that was a state law.
- 6.1.4 C. Taylor asked how cell phone towers were taxed, whether they were personal property. B. Baker stated that the town did not currently have Personal Property tax. She said she didn’t know yet how or if the cell phone tower would be taxed.

6.2 Planning Board – Leo Mayo reported that the final changes to the proposed town zoning ordinance were being made and would be sent to DEP this week for approval. He said the map still had to be done.

6.3 Plumbing Inspector – L. Mayo stated that things were going pretty good. He stated there had been a couple of violations.

6.4 Board of Appeals – No Report

6.5 Code Enforcement Officer –

- 6.5.1 F. Nile asked about the Reichert property. R. Dunphy stated that DEP was handling it, and once DEP was done, then the Town would step in if it wasn’t taken care of. He stated that it was a lot easier to let DEP spend their money first. F. Nile asked if there was a stop work order. R. Dunphy stated that DEP had issued one.
- 6.5.2 R. Dunphy stated that there was only one request for a permit this month. He said it had been “really good & really slow.” He said it was really hard right now to walk through the snow to find the high-water mark.

6.6 Health Officer – was not asked for a report.

6.7 Road Commissioner –

- 6.7.1 M. Witham stated that he had posted signs for the roads, and it was “getting close.”
- 6.7.2 He stated that he had gone out with the grader on the East Shore Road because of a problem with water.
- 6.7.3 T. Lamontagne asked how many miles in the town were gravel. M. Witham said probably 16-17. T. Lamontagne stated that the dirt roads take more sand. F. Nile said that actually, the dirt roads took the same amount of sand, you just had to add more salt for hot top roads.

6.8 M.S.A.D. #74 –

- 6.8.1 S. Cyrway stated that budget time was here, and there would be 3 budget worksessions which the Selectmen were invited to. He said the first one was tomorrow night.
- 6.8.2 S. Cyway said the vote Saturday in our district had been very favorable, which should help with the fine and state subsidy. He said right now the district was \$127K over last year’s budget that would go to the local share, but should be able to get that waived and atleast come out flat. He said with the way the valuation was that would be very good for Embden.
- 6.8.3 He said he would talk to the other 2 board members to set up a rotation for meeting attendance.

6.9 Animal Control – No Report

6.10 E-911 – No Report

6.11 Recreational Director – No Report

6.12 Town Clerk/Treasurer –

- 6.12.1 B. Baker submitted the Check Reconciliation report. Selectmen reviewed and signed.
- 6.12.2 B. Baker stated she needed to be out of work this Thursday to take her daughter to a doctor’s appointment in Portland. R. Blake stated that she would be fine by herself that day. C. Taylor

stated that that would be an excused absence, and asked whether she was using one of her vacation days. B. Baker stated that they had never had to use vacation days for that type of an absence, but if he insisted then she “guessed she would be out some of her vacation time.” C. Taylor replied that no, that wasn’t necessary at this time. W. McLaughlin said that it had never been an issue before. Discussion continued. C. Taylor stated that B. Baker would be allowed to take Thursday off with pay.

6.12.3 B. Baker submitted a warrant for unlicensed dogs for the ACO. She stated that a few of the names would be coming off of the list before it went to Pam, but that the ACO had asked for an official warrant. Selectmen reviewed and signed.

6.12.4 B. Baker stated that one of the town’s 2007 tax foreclosures would not foreclose due to a bankruptcy. She asked the Selectmen for assistance, or else for permission to send the information to the town’s attorney because she wasn’t sure of the procedure.

6.13 Tax Collector:

6.13.1 R. Blake stated there was \$34K left to collect for 2010. C. Taylor stated the amount in the town report was \$190K.

6.13.2 R. Blake stated she wanted the last week in March (the week of 3/28) off. She stated that Claudia would cover. C. Taylor asked whether this was the end of her vacation time. R. Blake said no. B. Baker stated that the vacation time went March – March. C. Taylor asked whether this would qualify for help in the office since the policy was anything over 2 days. W. McLaughlin asked whether R. Blake had pulled a week alone in the office. R. Blake said no, not quite a full week, just 3 days. B. Baker said she hadn’t been out for more than 2 days at a time. C. Taylor stated that that policy would need to be reviewed at the next meeting.

6.14 Winter Roads Contractor:

6.14.1 F. Nile said he had spoken to Eric Creamer about people taking sand by the truck load. He said he had thought about putting concrete and doors so people had to reach in. C. Taylor said he would talk to Sam White Jr.

7 School Building Committee:

7.1 W. McLaughlin said they were allowed to have the school for 2 more years to see what they could do with it. He asked whether the money which was taken in at town meeting had to be turned in to the town treasurer before they start. C. Taylor stated that that was his assumption. W. McLaughlin stated that the Committee Treasurer, Ramona McLaughlin, had the money right now.

7.2 He asked whether the committee would be allowed to have its’ own accounts. C. Taylor said that is how it would be in TRIO. B. Baker stated that the accounts had always been separated in aTRIO, and asked whether that is what W. McLaughlin meant or whether he meant a separate checking account. R. Blake said it would be helpful to have their own checking account. C. Taylor stated that the amount appropriated at town meeting could be made out as a check to the community center to start their own checking account, as long as there was a record. W. McLaughlin stated that that would make it easier, and then the Community Center Committee would just report it to the town at the end of the year. C. Taylor stated that he wanted to make a phone call to MMA legal to make sure it was ok before it was done. L. Creamer asked whether that meant that the Rec. Director could then do the same thing.

7.3 W. McLaughlin stated that there would be a meeting Thursday night, and they would elect their whole committee and officers.

7.4 W. McLaughlin asked whether the Committee should pursue tax exempt status. W. Witham asked whether it would already be tax exempt through the town. W. McLaughlin stated it was separate. W. Witham said that no, because it was town run. C. Taylor agreed. Discussion continued.

7.5 C. Taylor stated, “There were other options, but this is the town’s wish, they chose this option.” E. Pratt stated that the Committee did an awesome job in the short time they had the building. T. Lamontagne said she felt the Committee wasn’t prepared for the meeting to tell the townspeople about it.

7.6 W. McLaughlin told everyone to, “get out and tell the people to support this thing.”

7.7 W. McLaughlin stated that the Committee could do big things now because they had 2 years so they could do long-term things that weren’t an option before.

7.8 F. Nile asked how that would work, whether they could do whatever they wanted. He stated that there were 3 Selectmen for the town, and 2 of them are on the Community Center Committee. He asked how the Selectmen could vote on any of that, because 2 of them would be biased towards it.

8 Old Business:

8.1 Petition for Withdrawal from RSU/MSAD#74: B. Baker gave the Selectmen a copy of the laws regarding the withdrawal process. C. Taylor stated that the Selectmen were not going to do anything with this tonight because Joe Creamer wanted to talk to Dave Coda at Carrabassett Valley. He made a motion (2nd – W. McLaughlin) to table this issue until they had more information. (3-0)

9 New Business: None

10 Executive Session (Non-Public) (ME §405) None

11 Next Meeting Announcement & Adjournment

11.1 Next Regular Selectmen's Meeting – Monday, March 21, 2011

11.2 Motion to adjourn made by E. Pratt (2nd: C. Taylor). Adjourned 20:30 (3-0).

Minutes submitted by:

Charles E. Taylor
Selectman