

# Town of Embden



## Minutes of the Board of Selectpersons

~

March 19, 2012

7:00 PM Meeting held at the Embden Town Office

**In attendance was:** Dwight Barron, David & Kemily Benes, Nufer Bolmer, Robert Dunphy, Myles Durkin, Pam Graf, Eleanor Ketchum, Terriann Lamontagne, Leo Mayo, Alton McClamma, Wayne McLaughlin, Elizabeth Pratt, Charles Taylor, Richard & Karen Yocum, and Bonnie Baker.

- 1 Charles Taylor called the meeting to order at 19:03.
- 2 The meeting began with the Pledge of Allegiance.
- 3 **Consent Agenda:**
  - 3.1 Approved the minutes of the Board of Selectpersons dated March 5, 2012. Accepted as written.(3-0)
  - 3.2 Reviewed Warrant #6 totaling \$136,331.78. (3-0) Approved as amended (Correct E. Pratt GA pay to reflect resignation)
- 4 **Executive Session (Non-Public) for Employment Examination per M.R.S.A.§405(6)(A):**
  - 4.1 C. Taylor made a motion (2<sup>nd</sup> – W. McLaughlin) to move to executive session pursuant to M.R.S.A. §405(6)(A) to discuss the appointment of officers. (3-0) BOS entered executive session at 19:07. C. Taylor made a motion (2<sup>nd</sup> – W. McLaughlin) to come out of executive session. (3-0) BOS out of executive session at 19:10.
- 5 **Appointments & Resignations:**
  - 5.1 **Planning Board Members & Alternates:** C. Taylor stated there was 1 full-time and 2 alternate positions to be filled. He added that the board had received 4 applications. W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to appoint Dwight Barron as a Planning Board member, and Alton McClamma and Myles Durkin as the 2 alternate Planning Board members. (3-0)
  - 5.2 **Appeals Board Members:** C. Taylor stated there were no applicants present, therefore the current appointments would carry over until the new board could be appointed.
  - 5.3 **Animal Control Officer:** W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to appoint Pam Graf as ACO. (3-0) C. Taylor asked who she would like to be appointed as her deputy. P. Graf replied that she would like to stick with Brandi Barnett. W. McLaughlin made a motion (2<sup>nd</sup> - E. Pratt) to appoint B. Barnett as deputy ACO. (3-0)
  - 5.4 **Code Enforcement Officer:** W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to appoint Robert Dunphy as CEO. (3-0)
  - 5.5 **Local Plumbing Inspector:** W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to appoint Leo Mayo as LPI. (3-0) W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to accept R. Dunphy as the alternate LPI, and L. Mayo as alternate CEO. (3-0)
  - 5.6 **E-911 Addressing Officer:** W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to appoint Eleanor Ketchum as E-911 Addressing Officer (3-0).
  - 5.7 **Recreation Director:** C. Taylor stated no applications had been received. Tabled until next meeting.
  - 5.8 **Emergency Management Director:** W. McLaughlin made a motion (2<sup>nd</sup> – E. Pratt) to appoint Robert Dunphy & John Mullin as Co-Emergency Management Directors. (3-0)
  - 5.9 **Health Officer:** Not needed. Term is not up until 2014.
  - 5.10 **General Assistance Officer:** E. Pratt stated she was resigning as GA Officer. Discussion continued. She made a motion (2<sup>nd</sup> – W. McLaughlin) to appoint C. Taylor as GA Officer. (2-1)
- 6 **Department Officials Reports:**
  - 6.1 **E-911** – E. Ketchum stated she had nothing to report. She read about the history of the Katie's Crotch Road (formerly known as the East New Portland Road). Discussion continued.

**6.2 Winter Roads Contractor** – No Report. C. Taylor stated the term would end April 30, 2012.

**6.3 Animal Control** – No Report.

**6.4 Board of Assessors** –

**6.4.1** B. Baker stated that the last of the 200 sample batch would be mailed tomorrow morning.

**6.4.2** C. Taylor stated TRIO would be coming up at a cost of \$125/hour to train the Assessors for 8 hours, and R. Blake for 2 hours. R. Dunphy stated he recommended getting one of the deputies in to answer phones so that everyone in the office could be trained. B. Baker submitted paperwork on available web-ex and classroom training. She stated that the web-ex training was \$50, and the classroom courses were \$90/person. She added that this was a huge savings over the approximately \$1250-1500 they were proposing. E. Pratt made a motion (2<sup>nd</sup> – C. Taylor) to have TRIO come up for up to 8 hours of training for the Assessors and up to 2 hours of training with R. Blake and B. Baker at the cost of \$125/hour. (3-0) B. Baker stated that if the training for R. Blake was done on a Thursday morning then the office wouldn't be open for customers. C. Taylor stated he wanted to do it on a Monday when the office would be closed. B. Baker stated that T. Lamontagne works for New Portland on Mondays. C. Taylor replied, "We are training her for her job in New Portland, so I think she would be here."

*(Note: Returned to 6.4 Assessors at end of meeting)*

**6.4.3** T. Lamontagne said the Assessors would be ready for an early commitment. C. Taylor stated they did not need to commit early. B. Baker said that if the Assessors did not commit the taxes earlier than last year, there would not be enough money to pay the County tax.

**6.4.4** E. Pratt stated (see 6.4.2) that TRIO would be coming to do up to 8 hours of training. T. Lamontagne said that she would be there any day. C. Taylor asked, "Even on a Monday?" She replied, "Even on a Monday." She added that she would be starting a revaluation in New Portland on April 2<sup>nd</sup> that would take place on Mondays. C. Taylor asked, "So we get to train you so that you can go over there and utilize your training from here?" T. Lamontagne said yes. C. Taylor asked, "They're getting a good deal, aren't they?" B. Baker asked if New Portland might be willing to pay half or part of the cost of the Assessor's training. T. Lamontagne stated that New Portland was paying half when she went to school.

**6.5 Planning Board** –

**6.5.1** B. Baker submitted copies of the permits received from L. Mayo.

**6.5.2** L. Mayo stated they were working on dissolving a subdivision. He added the PB had voted to do away with the original subdivision. He stated the property had changed hands.

**6.5.3** L. Mayo stated there had not been many applications. He said the next meeting would be Thursday, April 12<sup>th</sup>.

**6.5.4** E. Pratt asked how far people had to be from the HWM. L. Mayo stated it depended on where. E. Pratt replied on Cardinal Drive. L. Mayo said it was a minimum of 100 feet from a Great Pond.

**6.6 Plumbing Inspector** –

**6.6.1** L. Mayo said there were people renewing plumbing permits because they had lapsed.

**6.6.2** R. Dunphy stated that he and L. Mayo would like to attend 2 septic classes in Bangor next week at \$90/person. C. Taylor made a motion (2<sup>nd</sup> – W. McLaughlin) to reimburse them for attending the class. (3-0)

**6.7 Board of Appeals** – No Report.

**6.8 Code Enforcement Officer** –

**6.8.1** E. Pratt stated that the CEO would be holding office hours every Tuesday from 9-12 every week. She added that R. Dunphy would keep a list of how many people came in and if there were not that many then they would consider reducing it to every other week. R. Dunphy stated he would work on getting the files in order while he was in the office.

**6.8.2** He stated there were 4 permits coming up.

**6.9 Health Officer** – R. Dunphy stated he had nothing to report.

**6.10 Road Commissioner** – No Report.

**6.11 M.S.A.D. #74** –

**6.11.1** W. McLaughlin stated there would be a budget meeting Wednesday at 18:00 in the CCS Library. E. Pratt stated she was "shocked" that they were keeping MDI, but getting rid of (RIF-ing) 2 teachers. She said, "That to me was appalling; although they say that over 200 kids are involved... 200 people, because there is an adult group, people that used to go to school there that are in it now." B. Baker replied, "Yes, Ma'am, I'm one of them. But we pay to take that class." R. Dunphy said that MDI had "started out as a great project," but now he, "wished they'd never had it." E. Pratt stated that now MDI was grades K-12 and adults. B. Baker stated that MDI was actually for grades 4-8, with a High School group this year due to a grant. E. Pratt added, "I'm all for the arts, however I was shocked!" She said that she didn't think it was right that the town was paying through its nose, and yet the school district

was saving the money. She added that the town had to borrow money, and the school district is a year ahead.

**6.12 Recreational Director – No Report.**

**6.13 Town Clerk/Treasurer –**

**6.13.1** B. Baker submitted the final 2011 audit for the BOS to review.

**6.13.2** She submitted an Expense-Revenue report.

**6.13.3** She submitted a Check Reconciliation report.

**6.13.4** She submitted a Liened Taxes report. She stated there were \$54,278.68 in 2010 and older taxes still outstanding.

**6.13.5** She said that both she and R. Blake would like to attend the MMTCTA Annual Conference in Freeport on May 17<sup>th</sup>. C. Taylor made a motion (2<sup>nd</sup> – E. Pratt) to allow both R. Blake and B. Baker to attend the workshop and close the office for the day. (3-0)

**6.14 Registrar of Voters:** B. Baker said she had nothing to report at this time.

**6.15 Tax Collector:** C. Taylor said R. Blake had told him she might not attend the meeting.

**6.16 Community Center –**

**6.16.1** W. McLaughlin stated Borderline Express would be performing Saturday night from 19:00-23:00. R. Dunphy asked whether there would be an officer there. E. Pratt replied yes.

**6.16.2** W. McLaughlin stated the Geriatrics, a 50s and 60s 5-piece band, would be performing on the 28<sup>th</sup>.

**6.16.3** He stated that they were still having bone building, walking, zumba, the Thrift Store, and a lending library.

**6.16.4** C. Taylor asked if they were going to get quotes for improvements to the Community Center. W. McLaughlin said he wanted to think about it and discuss it with the ECC. He added that his concern was what was going to happen “up on the hill.” E. Pratt stated she felt that the ECC could hold off another year if the town was going to spend a “plethora” of money on bat abatement and on the dam.

**6.17 Emergency Management Directors –** R. Dunphy stated the paperwork was in the process for changing the Community Center into a Red Cross shelter.

**7 Board of Selectpersons Concerns:**

**7.1** C. Taylor stated the BOS needed to sign in order for TRIO to come. He stated once the date(s) was decided, he would sign the paperwork.

**7.2** E. Pratt stated the bats were the big issue.

**7.3** C. Taylor said that Myles Durkin wanted an Embden Pond Association member added to the Dam Committee. M. Durkin stated he would volunteer to be that person. B. Baker stated Eric Morrill had said at town meeting that he was interested. C. Taylor replied, “I know, but he hasn’t come to any meetings since.” He added that his issue was, “He works for an excavation company, and I can see where he cares about the pond. But I’m just afraid, I can see if his company bid on the project, it would put him in a bad position, so...”

**8 Old Business:**

**8.1 Town of Embden Policies:**

**8.1.1** C. Taylor read the proposed Smoking Policy. E. Pratt made a motion (2<sup>nd</sup> – C. Taylor) to accept the Work Place Smoking policy. (3-0) R. Dunphy asked how the BOS would enforce it. R. Yocum stated it would keep the town from getting sued.

**8.1.2** C. Taylor read the proposed Sexual Harassment & Harassment policy. E. Pratt made a motion (2<sup>nd</sup> – W. McLaughlin) to accept the Sexual Harassment & Harassment Policy. (3-0) R. Dunphy asked whether everyone would have to read and sign a copy. C. Taylor said no.

**9 New Business:**

**9.1 Request to Reduce Speed Limit on the Embden Pond Road:** C. Taylor stated he had emailed the state regarding reducing the speed limit on the Embden Pond Road for safety reasons, as well as enabling Nufer Bolmer to use his existing road. He stated that the reply he got indicated that the state would send someone to check the current traffic speed, and the speed would then be set to the speed that 85% of the traffic was travelling. R. Dunphy recommended getting the Sheriff’s Department to say it is a safety issue. He added that the town had tried on more than one occasion to have the speed limit reduced, and had been unsuccessful even when it was an active school. N. Bolmer stated that when the lawyer had come he (N. Bolmer) wanted to explain it properly, but he had not known when the lawyer was coming. He said people at the town meeting had not understood what he was trying to do. C. Taylor said that it would be on the June Special Town Meeting, and he would make sure the lawyer was aware of the date, and that he would need to attend. E. Pratt added that it would be the first article discussed that day.

**10 Correspondence:**

**10.1** C. Taylor read letter from Josh Nunes, American Construction.

**10.2** C. Taylor read the letter from the Town of Anson regarding the new Fire Protection Contract. He stated that the contract had been omitted from the letter, but should be received shortly. He said they wanted the new contract in

place by March 31<sup>st</sup>. E. Pratt stated the BOS would hold a work session on Wednesday, March 28<sup>th</sup> at 17:00 to review and sign the contract.

**10.3** C. Taylor read a letter from the Fire Marshall's office regarding an upcoming renewal date (5/17) for the Community Ctr.

**10.4** He read an e-mail regarding the Embden Spirit of America tribute. He stated the first annual event would be held May 17<sup>th</sup>. E. Pratt stated they would review the paperwork at their work session.

**10.5** C. Taylor stated that CMP & TDS were asking permission to construct and maintain poles. BOS reviewed and signed.

**10.6** BOS processed Concealed Weapons permit.

**10.7** C. Taylor read letter from MVP Consulting. He stated the BOS had not put the engineering for the dam out to bid.

**10.8** C. Taylor submitted the State of Maine Solid Waste report for the BOS to review.

**10.9** He read a letter from DOT regarding the planned hot mix asphalt overlay for the Embden Pond Road from the junction fo Rte. 16 to the Fahi Pond Road/Cross Town Road intersection, a total of 5.66 miles. He stated they were requesting an over limit waiver for the contractor(s). E. Pratt asked whether this was going to be, "lipstick on a pig."

**10.10** C. Taylor submitted the MMA audit. BOS reviewed.

**10.11** BOS reviewed paperwork from KVCOG.

**10.12** C. Taylor stated he would complete the Local Government Finance Survey Thursday night.

**10.13** B. Baker submitted a copy of a newspaper article from the Morning Sentinel. She stated a townsperson had asked that it be given to each of the Selectpersons. C. Taylor stated he would meet with another contractor who wanted to submit a quote. He added that they would have the quotes ready for June. E. Pratt asked whether they had money that could be spent to close up the building without using the Capital account. C. Taylor stated he felt the town's hands were tied. He said he thought the town should, "Put a sign on it, 'Not fit for human habitation,' and seal it up until next year." E. Pratt recommended having the Historical Society pay for the repairs, and the town would pay them back if the article passed at the Special Town Meeting. C. Taylor asked her to bring the idea up to Larry Witham.

## **11 Community Relations, Announcements, and Open Public Forum:**

### **11.1 Open Public Forum:**

**11.1.1** D. Barron stated he felt the town was getting ripped off by the Anson-Madison Water District. He said since they were getting their water from Embden, he thought all of Embden should get free water. E. Pratt said that they had found out that it wasn't the town's water; it was the state's water. E. Pratt stated the town could close off the hydrants, since it had bought them. C. Taylor stated if the town closed off the hydrants, the water district would put a lock on them. He added that the fire department rolled "8-10K gallons of water" every time the tone goes off; that should be enough. B. Baker stated, "But in a fully involved structure fire that's not enough water. I don't want to be the one in the building when we find out there's not enough water." C. Taylor stated the fire department could utilize rural hitch. C. Taylor stated he had asked whether there was room for an Embden person on the board of the Water District and was told no. Discussion continued.

**11.1.2** C. Taylor stated the new town website would be up soon. He added that B. Baker was working with Polly MacMicheal to get her the necessary documents.

### **11.2 Executive Session (Non-Public) (ME§405):** None.

## **12 Next Meeting Announcement & Adjournment**

**12.1** Next Regular Selectperson's Meeting – Monday, April 2, 2012.

**12.2** Motion to adjourn made by E. Pratt (2<sup>nd</sup>- W. McLaughlin). (3-0) Adjourned 20:48.

**12.3** T. Lamontagne stated she wanted an executive session with the BOS. C. Taylor made a motion (2<sup>nd</sup> – E. Pratt) to come back in session. BOS meeting was re-opened at 20:48.

## **13 Executive Session (Non-Public) (ME§405):**

**13.1** T. Lamontagne stated she wanted to discuss labor negotiations. C. Taylor made a motion (2<sup>nd</sup> – None) to go into executive session pursuant to 1 M.R.S.A. §405(6)(A) to discuss things with Terriann Lamontagne. (3-0) BOS entered executive session at 20:50. C. Taylor made a motion (2<sup>nd</sup> – E. Pratt) to come out of executive session. (3-0) Meeting resumed at 20:52.

## **14 Next Meeting Announcement & Adjournment**

**14.1** Motion to adjourn made by W. McLaughlin (2<sup>nd</sup>- E. Pratt). (3-0) Adjourned 20:53.

*Minutes submitted by:  
Bonnie A. Baker*