

Town of Embden

Minutes of the Board of Selectmen

April 18, 2011

7:00 PM Meeting held at the Embden Town Office

In attendance was: Brandi Barnett, Ruth Blake, Robert Dunphy, Eleanor Ketchum, Terriann & Julien Lamontagne, Scott Leahy, Leo Mayo, Alton McClamma, Wayne McLaughlin, John Mullin, Frank Nile, Elizabeth Pratt, Charles Taylor, John Vartanian, and Bonnie Baker.

- 1 Charles Taylor 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 April 4, 2011. Accepted as corrected to read “2.8M” and “CDL.” (3-0)
 - 3.2 Reviewed Warrant #8 totaling \$146,395.34. W. McLaughlin stated that the amount for the check written to Ruth Blake should have been \$1,933.81 rather than \$5,000. He said that the way the Committee understood it, this amount should include the \$1,000 from the one article, and the money raised since the first of the year. R. Blake stated that the amount “netted” since the first of the year was \$1,933.81, making the corrected figure (including \$1,000 appropriation) \$2,933.81. The new total of the warrant as amended was \$144,329.15. Approved (3-0).
- 4 **Executive Session (Non-Public) (ME §405)**
 - 4.1 E. Pratt made a motion (2nd – W. McLaughlin) to move into executive session pursuant to 1MRSA §405(6) (A), to discuss personnel matters. (2-1) Selectmen entered executive session at 19:17. E. Pratt made a motion (2nd – W. McLaughlin) to come out of executive session. (3-0) Selectmen came out of executive session at 19:26.
- 5 **Community Relations, Announcements, and Open Public Forum:**
 - 5.1 **Open Public Forum :**
 - 5.1.1 B. Barnett asked when the Embden Pond Road would be repaired. Discussion continued. C. Taylor asked E. Pratt to send a letter to the state.
 - 5.1.2 J. Vartanian asked why the reprocessed hot top was taken out to Michael Witham’s pit instead of being stored on the town land across from the sand shed. C. Taylor stated that the Selectmen pretty much gave the Road Commissioner the autonomy to do things that are to do with the roads. J. Vartanian argued that he was taking town property and putting it on his land, but he didn’t have a permanent position with the town. He asked whether the Selectmen knew how much was there. F. Nile said that if it had been kept on the town land it would have been closer to the dirt roads in town, and would have saved money by not paying the trucks to haul it to Solon.
 - 5.1.3 J. Vartanian asked whether it was correct that not getting a bond or engineer had saved the town money. J. Lamontagne said, “Even if you would have said that it wouldn’t be right. Because I worked for a town before. When we give the road to somebody to do, we give it as a contract. But what Mike tried to do is keep everything in the town of Embden.” C. Taylor stated that if you used an engineer it could add to the cost of the project. J. Vartanian asked how much had been saved. E. Pratt replied that she would try to find that out for the next meeting. Discussion continued. C. Taylor stated that a Road Commissioner manual had been ordered.
 - 5.1.4 T. Lamontagne asked whether the flag could be seen. C. Taylor said that the thought was that the light from out front was enough. W. McLaughlin added that he had offered to put a light there when the building was done and the First Selectmen said no. T. Lamontagne asked whether it could be illuminated. C. Taylor asked W. McLaughlin to work up an estimate.
- 6 **Appointments & Resignations:** C. Taylor stated that it had been brought to his attention that the Selectmen would be setting a precedent if they were to appoint the following positions without holding interviews. The applicants were asked to return for the next Selectmen’s meeting for appointment, following interviews to be held Friday, April 22 at 17:30 at the Town Office. C. Taylor made a motion to appoint the 3 applicants tonight. (2nd – None) Motion dies.
 - 6.1 **Planning Board Alternates:** Tabled until the next meeting.
 - 6.2 **Appeals Board Members:** Tabled until the next meeting.
 - 6.3 **Assistant Animal Control Officer:** Tabled until the next meeting.
 - 6.4 **Emergency Management Co-Director:** Tabled until the next meeting.
- 7 **Department Officials Reports:**
 - 7.1 **E-911** – E. Ketchum stated she had nothing to report.
 - 7.2 **Winter Roads Contractor** - No Report.
 - 7.3 **Animal Control** – C. Taylor stated that the Waterville Humane Society had PARVO. B. Barnett stated that any animals that needed to be picked up should go through the ACO, because self-surrenders were not being accepted at this time.
 - 7.4 **Board of Assessors** –

7.4.1 T. Lamontagne stated that the Assessors had chosen the sample batch of 200 accounts; approximately 165 had been mailed to date.

7.5 Planning Board –

7.5.1 L. Mayo stated that there was not much going on.

7.5.2 C. Taylor asked about old stuff that might be coming up. L. Mayo stated that on the Slipp Road, he was not sure whether the 16.5' on Jed Spear had gone through the town. C. Taylor read a 2005 letter from Michael Malesky. He asked B. Baker to check the 2005/6 warrants to see if it had been in the town meeting warrants. L. Mayo added that the plan had been recorded that way, however the inhabitants needed to approve it.

7.6 Plumbing Inspector – L. Mayo said that everything was good.

7.7 Board of Appeals – No Report.

7.8 Code Enforcement Officer –

7.8.1 R. Dunphy stated that he was dealing with two issues, and one of them would be coming before the Selectmen right off. C. Taylor asked whether they had been in touch with John. R. Dunphy replied, "No, but I am."

7.8.2 J. Vartanian asked when the DEP person was coming. R. Dunphy stated that they would be meeting at the Town Office at 14:00.

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

7.10 Road Commissioner – No report.

7.10.1 C. Taylor stated that the Road Commissioner was not present, and had failed to inform the Board of any deputy filling in.

7.10.2 C. Taylor stated he had emailed Peter Coughlan and asked for his advice on the East Shore Road, for another set of eyes and opinions. He added that 2 people had been put on it. The first individual reported that it was a better job than a lot of his crew would have done; but there is one spot by 464 East Shore Road where 50 feet of under drain would cure it. He said that these people had told him it would be a cheap fix before the other coat went on. He added that the Selectmen would discuss it with Michael Witham.

7.11 M.S.A.D. #74 – S. Lehay stated that there would be a budget meeting on April 28th, where the actual amounts would go before the voters. B. Baker stated that she would have to leave early that evening to attend.

7.12 Recreational Director – No Report.

7.13 Town Clerk/Treasurer –

7.13.1 B. Baker submitted information on the Tax Acquired properties.

7.13.2 B. Baker submitted the Check Reconciliation report. C. Taylor stated the Selectmen would review the report on Thursday night.

7.13.3 B. Baker submitted a Treasurer's Report.

7.13.4 B. Baker submitted the totals on outstanding taxes from 2009 and older.

7.13.5 B. Baker reminded the Selectmen that she had would be training Thursday and Friday this week. C. Taylor stated that last year the Selectmen had adopted a policy, however it had not been adopted this year. He said that R. Blake had requested someone to be in the office because she was covering for both Anson and Solon. He added that B. Baker's deputy was Amanda Morrill, and that he had arranged for her to come in Thursday and Friday for minimum wage.

7.14 Tax Collector:

7.14.1 C. Taylor asked who R. Blake's deputy was. She replied that Ramona McLaughlin and Claudia Viles were. C. Taylor asked which her first choice was, and whether it was C. Viles. R. Blake said yes and no. She stated that if the Selectmen adopted the policy as they did last year, then no coverage would be needed until after 2 days, however she felt that the policy should be different in her case because C. Viles could do what she could do. She added B. Baker was the one that answered the phone all the time anyway. C. Taylor asked whether R. Blake didn't answer the phone if B. Baker was busy. R. Blake said she did. She added that she was only asking for someone to come in because she was covering for someone else. C. Taylor stated that B. Baker chose not to have coverage when R. Blake was out, and had stated she would cover it.

7.14.2 R. Blake stated that there was \$22K left to be collected for 2010 taxes. C. Taylor asked whether she had tried phoning people.

7.14.3 L. Mayo asked whether the town did payment plans. C. Taylor answered, "No."

7.15 Withdrawal from MSAD#74 Fact Finding Group – W. McLaughlin stated the group had a meeting on Tuesday night at 18:30 with Fredericks from Starks. He asked C. Taylor to get a hold of Madison to set up a meeting for Wednesday or Thursday night of next week. C. Taylor stated that he would call tomorrow.

7.16 Community Center -

7.16.1 W. McLaughlin stated the group was "getting ready for a few things."

7.16.2 He stated S. Lehay had been doing a remarkable job on the floors.

7.16.3 He stated there would be a thrift shop the first of May, and were going to open the library at that time.

7.16.4 He said there would be a country music show on April 30th.

7.16.5 He added that walking and bone building were still being held.

7.16.6 F. Nile asked whether they were still holding Zumba classes there. W. McLaughlin replied "No, they moved it up to Solon."

7.16.7 F. Nile asked about renting the gymnasium for a weekend in August. He asked if there were any ordinances in the town prohibiting him from holding a “gentlemen’s weekend.” W. McLaughlin replied, “I am not sure right at the moment. I’d have to check with the Committee on that. I don’t know that there’s any. If not with the town, we probably would ask what it was going to be.” F. Nile replied it would be strippers. W. McLaughlin asked whether there would be alcohol involved. F. Nile asked him to find out whether alcohol was going to be allowed over there for weddings and such. C. Taylor said that he had spoken with MMA, and they were sending him information. He said that there were some issues with insurance. R. Dunphy stated, “It’s my understanding that bartenders or the companies they worked with, they would have them set the limits. I was reading somewhere a while ago that it was possible to have it in a facility if you had a bartender and that took the liability off from whoever’s building it was.” F. Nile said he was sure they could do it without drinking, but having drinking was a good idea. He said he didn’t see how the town was liable if he had to use his homeowner’s policy. C. Taylor stated that adult activities couldn’t be comingled with kids. He said he was waiting on clarification so he could arm the Community Club with any and all information. F. Nile stated he was going to just wait a couple of weeks and go rent the building, but he was in the store tonight and overheard a couple of people on the board saying, ‘He aint going to do that.’ He said, “Now wait a minute, don’t discriminate and start making different rules for different people.” He asked again whether there was any ordinance in the town against nakedness and that kind of stuff. W. McLaughlin replied, “Not at the moment.” C. Taylor replied that there had not been in the 10-12 years he had been on the Board. W. McLaughlin said, “As far as the alcohol, when it was a Committee appointed by the town then we sat here as Selectmen sat here and voted no alcohol, no smoking, or anything there. But it has been brought up at the committee meetings now and hasn’t really been resolved yet, because we are waiting, like Chuck said, for insurance. So I can’t really answer your question.” F. Nile said that wasn’t a problem. He said didn’t want, if there were no rules now, to go to rent the building and someone tell him rules had been adopted against it. W. McLaughlin stated he had to check with the insurance before they could let him have the building if that was what he was going to use it for. F. Nile asked how long before the Selectmen would find out. He said he wanted the building during statewide motorcycle weekend, around the 19-21 of August; however he needed to know before then.

8 Old Business:

8.1 Petition for Withdrawal from RSU/MSAD#74:

8.1.1 S. Lehay asked how long the petition was good for without any action. W. McLaughlin said there is a timeline once it was given to the Selectmen. C. Taylor said that the Committee hadn’t been appointed yet, so there was 90 days. W. McLaughlin stated the group was just a “fact-finding group.”

8.1.2 Issue tabled. Awaiting more information.

9 New Business:

9.1 Sign Warrant for May 10, 2011 School Budget Referendum: Selectmen reviewed and signed.

9.2 Authorize TAN: B. Baker stated it was time again for the TAN. She said that it was May last year, and would be this year as well, but she wanted to start the process now. C. Taylor added that the amount was the same as last year, \$550K. E. Pratt made a motion (2nd – W. McLaughlin) to apply for a TAN. (3-0) Selectmen signed official request.

9.3 Proposal for Community Center Lighting Modification: S. Lehay presented a proposal to the Board of Selectmen. C. Taylor read proposal. S. Lehay stated that option 1 was \$1464 with a \$780 rebate from Efficiency Maine, option 2 was \$1184 with the same rebate. He said that he didn’t feel the 6 extra bulbs were feasible. He added that the lights had metal guards on them. E. Pratt said they were on chains that would swing. W. McLaughlin stated he wasn’t sure what would need to be done to wire them in. S. Lehay stated that if the lights were on 6 hours a day, they would pay for themselves within a year. C. Taylor asked what budget line that could be taken from. E. Pratt said that \$5,000 had been put in building maintenance, and that seemed a good place to take it from. F. Nile said he thought that the town wasn’t going to put money into the building until after the two years. S. Lehay said if the sewer was messed up you would fix it. F. Nile asked whether the lights were messed up. Discussion continued. W. McLaughlin made a motion (2nd – C. Taylor) to go with S. Lehay’s quote to replace the lights in the gym of the Embden Community Center, not to exceed \$2,000, under option 2 of the proposal. (3-0)

9.4 Town Office Lawn Care: C. Taylor stated that he would allow S. Lehay to do the lawn at the town office for the wages he had been getting, since he was doing the Community Center. S. Lehay said he didn’t mind doing it while he was here doing the Community Center, however they seemed to have a new precedent of putting things out to bid. C. Taylor stated that it had been appointed each year, and was only a \$50 stipend per month. He said he would donate the weed whacking every other time for free. W. McLaughlin said they would, “get it done.”

10 Executive Session (Non-Public) (ME §405)

11 Next Meeting Announcement & Adjournment

11.1 Next Regular Selectmen’s Meeting – Monday, May 2, 2011

11.2 Motion to adjourn made by W. McLaughlin (2nd - C. Taylor). Adjourned 20:56 (3-0).

Minutes submitted by:
Bonnie A. Baker