

Town of Embden



Minutes of the Board of Selectpersons

May 20, 2013

19:00 PM Meeting held at the Embden Town Office

*BOS Meeting was preceded by a Public Hearing on the Embden Spillway Replacement Project, held at 18:00.
Please see attached minutes.*

In attendance was: Steve Govoni, Leo Mayo, Wayne McLaughlin, Elizabeth Pratt, Charles Taylor, and Bonnie Baker.

1. Charles Taylor called the meeting to order at 19:15.
2. **Consent Agenda:**
 - 2.1. Approved the minutes of the Board of Selectpersons dated May 6, 2013 as written.(3-0)
 - 2.2. Reviewed Warrant #10 totaling \$140,545.80. (3-0)
3. **Appointments & Resignations:**
 - 3.1. **Board of Appeals Members:** Tabled until next meeting.
 - 3.2. **Recreation Director:** Tabled until next meeting.
4. **Department Officials Reports:**
 - 4.1. E-911 – No Report.
 - 4.2. **Winter Roads Contractor** –No Report.
 - 4.2.1. C. Taylor stated Nitram had asked whether they could put up the salt and get paid now. He stated that his answer had been, “Absolutely not.” W. McLaughlin stated that his concern was that if the tax money doesn’t come in, then the town would be paying interest on the Tan in order to pre-pay them. He made a motion (2nd – C. Taylor) to not authorize pre-payment at this time, and instead to wait until the fall, as per the winter roads contract. (3-0)
 - 4.3. **Animal Control** – No Report.
 - 4.3.1. W. McLaughlin stated there had been a couple of issues. B. Baker said the ACO was made aware of them.
 - 4.4. **Board of Assessors** –
 - 4.4.1. W. McLaughlin said they had been doing visits, and were getting closer to commitment.
 - 4.5. **Planning Board** –
 - 4.5.1. L. Mayo stated he had heard there was a pig pen in Getchell Brook.
 - 4.5.2. C. Taylor asked if they had been working on the changes to the SLZ ordinance. L. Mayo said yes. He said that he had been in touch with Deidre from DEP, who had told him that there would be changes next year. C. Taylor replied, “So make it a working project for next March.” L. Mayo stated the state was doing away with the 30% rule, and would instead be limiting it to the original footprint. He said that the map was pretty much done. He added that the town could either wait or vote on the ordinance now and then have to amend it next year once the state completed their changes. E. Pratt replied, “Let’s wait.” W. McLaughlin asked if they had to follow the state. L. Mayo replied that the town had to be at least as restrictive as the state. He added that they were going to repeal the current ordinance, and have a brand new one. He said that they were doing away with the town enforcing the forestry part of things, except in SLZ. E. Pratt asked whether the ordinance would be done next March. L. Mayo replied, only if the state changes were enacted. C. Taylor added, if not, it will be done as a STM next summer.
 - 4.5.3. L. Mayo stated Fortin’s withdrawal from subdivision status had been filed with RoD.
 - 4.5.4. He said Blaine Miller would be filing to have his property removed from Resource Protection and put into a LSD. He said the Planning Board was interested in what the water district would say, because the only reason that Hancock Pond was in Resource Protection was because it was a public water supply.
 - 4.5.5. C. Taylor stated he had sent a draft Eyesore Ordinance to A. Bridges and would like the PB to review it. He added that E. Ketchum had already taken a lot out of the ordinance as it was originally written. He said that

B. Baker had said that 30 days was not a long enough time frame for damage due to events, and had recommended 120 days instead. E. Pratt stated she agreed with B. Baker. L. Mayo asked if what they were really looking for was trash and junk. He added that the town could take someone to court by state statute.

4.6. Plumbing Inspector –

4.6.1. W. McLaughlin asked how many places could be on a septic system. L. Mayo stated it depends on the design. He said it depends on the number of bedrooms. W. McLaughlin asked him to take a ride on the Getchell Road. L. Mayo asked, “Where they put the trailer in?” W. McLaughlin replied, “Where they put the 3 trailers and the house in.” Discussion continued.

4.6.2. L. Mayo stated there had been a plumbing violation at the cove near Rose Allain, where the person had removed the pipe. He stated he would check on it next month to ensure the owner had not reattached it.

4.6.3. L. Mayo said, “People just don’t have the money to do what they are supposed to do.”

4.7. Board of Appeals – No Report.

4.8. Code Enforcement Officer – No Report.

4.8.1. W. McLaughlin mentioned the McGarrity Camp on Hancock. BOS read from the PB minutes. He stated that the CEO had said the improvements were less than 50%. W. McLaughlin said he had pictures in the BOA office, and there were no old boards in the place that he could see. He added that the deck which the permit stated was 12ft from the HWM, was actually built 4ft out over the water. E. Pratt stated, “I looked. I’m not a contractor, but I can tell old wood from new wood.” W. McLaughlin added that there were even new piers and pads. L. Mayo stated that he had questioned whether it was more than 50% when the PB looked at the pictures too, but both the CEO and the owner had said no. He said he had questioned and questioned it. Discussion continued.

4.9. Health Officer – No Report.

4.10. Road Commissioner – No Report.

4.11. R.S.U. #74 – No Report.

4.12. Recreational Director - No Report.

4.12.1. L. Mayo asked whether they wanted barrels at the beach. C. Taylor said yes, starting now.

4.12.2. B. Baker asked whether the BOS were ok with Tammy Murray, from Anson Rec., taking over the swim program again this year. C. Taylor said yes.

4.13. Town Clerk/Treasurer –

4.13.1. B. Baker submitted a Treasurer’s Report.

4.13.2. B. Baker submitted a Check Reconciliation Report.

4.13.3. B. Baker submitted a Revenue Report.

4.13.4. She stated they had closed on the TAN on May 10th.

4.13.5. She submitted an Expense Report, along with the copy of the original TRIO report, asking C. Taylor to compare the two to verify that the amounts were being represented correctly. C. Taylor agreed.

4.13.6. C. Taylor asked if they had the completed audit yet. B. Baker stated the auditor had not been back in yet. She stated she would e-mail him this week.

4.13.7. She asked the BOS to verify the individual line items of the budget to ensure they were correct.

4.13.8. She stated she and W. McLaughlin had talked about the sign for the Town Office, and thought that perhaps instead of on the building it should be across the parking lot near the town office sign. She said that that way people could drive right up to it and it would not be obscured while the office was open. She asked about having M. Witham bring a couple of large rocks from the land across from the Sand Shed to place on either side.

4.14. Registrar of Voters:

4.14.1. B. Baker stated 39 people had voted from the Town of Embden at the Budget Validation Referendum. She added that 19 people had voted yes on the budget, and 20 no. She said on question 2 the vote had been tied 19 to 19, with 1 blank. She said that the results for the entire district were on the town’s website, but not many people district-wide had voted. She said Embden only had 1 absentee voter. She stated the budget had failed in Anson, and passed in both New Portland and Solon. Discussion continued.

4.15. Tax Collector –

4.15.1. BOS reviewed written report from Tax Collector.

4.15.2. B. Baker stated that 110 30-Day Notices had been mailed out Wednesday morning.

4.16. Community Center –

4.16.1. E. Pratt stated that they had given a comprehensive report at the last BOS meeting.

4.16.2. W. McLaughlin said BCF had come Thursday and installed a bunch of thermostats. He said they had also removed the separate day and night settings for the heat system. He said one zone valve in the library was leaking, and that had been fixed.

- 4.16.3.** W. McLaughlin stated they were going to get after the people doing Zumba over there. He said R. Blake had complained that it was hot so they were opening the doors, which dropped the temperature and caused the system to call for more heat. E. Pratt said, "If she wants to pay for the gas then she can open the doors."
- 4.16.4.** W. McLaughlin stated he was concerned about the temperature of the building during the Bob Marley in August. B. Baker recommended setting up a stage outside behind the building and doing an outdoor concert. Discussion continued.
- 4.16.5.** W. McLaughlin stated he was going to see M. Witham about putting a road between the 2 buildings. C. Taylor asked if they needed to go through the permit process. L. Mayo told them to just do it.
- 4.17. Emergency Management Directors – No Report.**
- 4.17.1.** C. Taylor stated the CERT team was looking for a home, either at the Town Office or the ECCtr. W. McLaughlin stated the ECC voted down the request to allow them to utilize the building. He added that G. Young had advised that the CERT team should use the basement of the Town Office instead.
- 5. Board of Selectpersons Concerns:**
- 5.1. W.** McLaughlin asked for thoughts on having a form for complaints, which would then go to the CEO or ACO. E. Pratt stated it was a great idea. C. Taylor stated he had an old form. B. Baker stated that if he could send her the form, she would be happy to design a new one.
- 6. New Business:** None
- 7. Old Business:**
- 7.1. Embden Spillway Replacement Project:** C. Taylor confirmed (for the record) that the BOS had awarded the bid to Oakley Jones, OKJ Construction Inc., in the amount of \$105,343.25. He made a motion (2nd – W. McLaughlin) that the BOS uphold the vote taken on Monday, May 6th which awarded the bid to OKJ Construction. (3-0) C. Taylor made a motion (2nd – E. Pratt) to complete the filing for the Natural Resources Protection Act (NRPA) with DEP. (3-0) S. Govoni stated that with this motion, he could finish updating the books and list. He stated he needed a copy of the minutes from the Public Hearing & BOS meeting as soon as possible. He added that he needed to be on the next Planning Board agenda, and would contact R. Dunphy.
- 8. Correspondence:** None.
- 9. Community Relations, Announcements, and Open Public Forum:**
- 9.1. Open Public Forum:** None
- 10. Executive Session (Non-Public) (ME §405):** None
- 11. Next Meeting Announcement & Adjournment**
- 11.1.** Next Regular Selectperson's Meeting – Monday, June 3, 2013.
- 11.2.** Motion to adjourn made by E. Pratt (2nd- W. McLaughlin). (3-0) Adjourned 20:37.

*Minutes submitted by:
Bonnie A. Baker*