

Town of Embden



Minutes of the Board of Selectpersons

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June 3, 2013

19:00 PM Meeting held at the Embden Town Office

In attendance was: Robert Dunphy, Terriann Lamontagne, Leo Mayo, Wayne McLaughlin, Elizabeth Pratt, Charles Taylor, Michael Witham and Bonnie Baker.

1. Charles Taylor called the meeting to order at 19:03.
2. **Consent Agenda:**
 - 2.1. Approved the minutes of the Board of Selectpersons dated May 20, 2013 as written.(3-0)
 - 2.2. Reviewed Warrant #11 totaling \$23,048.70. (3-0)
3. **Appointments & Resignations:**
 - 3.1. **Board of Appeals Members:** C. Taylor stated they had no new applicants. 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.
 - 4.3. **Animal Control** –
 - 4.3.1. BOS reviewed written reports submitted by the ACO.
 - 4.3.2. P. Graf stated the biggest issue was trying to get dogs licensed. She said she was still looking for a couple people, one of which was on Centerwood Drive. She stated that H. Avery had a dog she did not want to pay the late fee for because they were trying to re-home the dog. She added that there were also 2 people at the end of the Eames Road, and 1 off of the Eames Road.
 - 4.3.3. W. McLaughlin stated the BOS had received a complaint about a bunch of dogs just past the dam on the Eames Road. P. Graf stated she had not seen any dogs when she was there.
 - 4.3.4. W. McLaughlin stated Danforth/Little on the Getchell Road had a bunch of dogs. P. Graf stated she had only seen 2 dogs. T. Lamontagne replied that there were approx. 4 more out back of the dwelling.
 - 4.3.5. M. Witham asked whether there was supposed to be a pigpen around a natural stream. P. Graf stated when she went she hadn't seen any pigs, floating or otherwise.
 - 4.3.6. BOS reviewed and signed FCAS contract for July 1, 2013 – June 30, 2014.
 - 4.4. **Board of Assessors** –
 - 4.4.1. C. Taylor stated he would like to give the BOA a round of applause. He said that the Chairman was ready to commit as soon as the county budget had been finalized.
 - 4.4.2. C. Taylor said, "I see you have utilized your budget to bring R. Hatch in." T. Lamontagne replied that she felt it was in the town's best interest since he was a CMA.
 - 4.5. **Planning Board** –
 - 4.5.1. L. Mayo stated he had not seen an agenda for the next meeting yet..
 - 4.6. **Plumbing Inspector** –
 - 4.6.1. L. Mayo stated there were a few permits coming in.
 - 4.7. **Board of Appeals** – No Report.
 - 4.8. **Code Enforcement Officer** –
 - 4.8.1. R. Dunphy stated he had been busy.
 - 4.8.2. He said there were 5 things coming up.
 - 4.8.3. He stated, "No matter how good a lawyer is, sometimes it is good to look around, because sometimes it seems like he drags his feet."
 - 4.8.4. W. McLaughlin asked about Spring Hill Farms, where there was a deck out over the pond. R. Dunphy replied, "I have done everything I can about getting a hold of someone." E. Pratt asked whether there had been a permit for the deck. R. Dunphy said not that he knew of. He added that the best idea might be to cite everyone.

- 4.8.5. W. McLaughlin asked if P. Vicneire had a permit. R. Dunphy stated that he didn't need one to build up. W. McLaughlin asked him to go check it.
- 4.8.6. L. Mayo asked whether W. McLaughlin had gone by James Devona's place. W. McLaughlin said he hadn't stopped. L. Mayo asked whether he was on the list of violations. W. McLaughlin said no.
- 4.8.7. W. McLaughlin asked if E. Batchelder had a permit. R. Dunphy said no.
- 4.8.8. W. McLaughlin asked about the Walker camp at the end of Embden Pond. R. Dunphy stated he had already gotten a complaint.
- 4.8.9. W. McLaughlin asked about the Megarry camp on Hancock. He said that they had gotten an After-the-fact permit, and asked how they had come up with the 50% mentioned in the PB minutes. R. Dunphy replied, "You would have to talk to the PB. They issue the permits." W. McLaughlin said that the minutes quoted R. Dunphy as stating that they had not exceeded 50%. R. Dunphy stated that was his opinion. W. McLaughlin added that there was also a deck that was 4ft over the water. R. Dunphy stated he had pictures. W. McLaughlin asked to see them. He said, "I cannot for myself justify that they only did 50%." R. Dunphy replied that the whole back of the camp was old. W. McLaughlin exclaimed, "There's not an old board in the place." R. Dunphy replied, "Maybe they did it after, but I don't think so."

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

4.10. Road Commissioner –

- 4.10.1. M. Witham stated we had gotten a lot of rain.
- 4.10.2. He said there had been an issue by P. Vicneire's with a culvert. He said that E. Creamer had patched it once. He added that he had shoveled some dirt into it Friday, but then he had gotten a call Saturday, and when he went up there was a hole 4' deep and 4' across. He stated they had put up barricades.
- 4.10.3. He said tomorrow E. Witham would cuff a little bit before where they had put 2 culverts in to try to pull the shoulders up to the hot top by Andrews.
- 4.10.4. He said they would probably have to add dirt by R. Hatch's house.
- 4.10.5. He stated they hadn't gotten the signs out yet on Fahi Pond.
- 4.10.6. M. Witham said he would probably try to get the bamboo removed with an excavator by the ECCtr. He asked whether they wanted to go with rolled roof paper or Geo-Tex fabric. C. Taylor stated that if it was going to be permanent it might as well be the Geo-Tex. W. McLaughlin agreed. Discussion continued.
- 4.10.7. He said they had spent 2 hours cleaning up at R. Diamond's.
- 4.10.8. He stated B. Baker had asked about bringing it more level by the flagpole.
- 4.10.9. W. McLaughlin stated they had spoken about moving the flagpole at the ECCtr.
- 4.10.10. E. Pratt stated she thought the beavers were back on the Fahi Pond Road. M. Witham stated he had had D. Nile clean that up, and had spoken to E. McLean last week.
- 4.10.11. M. Witham said there had been a microburst last night, which had taken down a lot of trees.
- 4.10.12. He said they had gotten calcium. He said none had been spread yet because of the rain.
- 4.10.13. He stated D. Welch had rock raked Thursday.
- 4.10.14. He said he had been asked about the mess on the West Shore Road. C. Taylor advised that the next door neighbor had been burning it little by little in his fire pit.
- 4.10.15. M. Witham stated he had spoken to F. Mayo, who was doing logging on the Dunbar Hill Road. He stated F. Mayo had asked about purchasing a culvert, but instead had pushed all of the silt into the ditch and put a couple of trees over it. He said they were only doing a couple of loads and then they would push it all back, but with all the rain of the last few days the water was washing around this and had begun to wash away the road.

4.11. R.S.U. #74 – No Report.

- 4.11.1. B. Baker stated she still had not heard from M. Miller.

4.12. Recreational Director - No Report.

- 4.12.1. The BOS asked about putting the swim dock in. P. Graf said, "Don't you dare put that dock out!" She stated, "I talked to Tammy Murray, and the kids she had were good kids, but they didn't know how to swim. It's scary to be out there with a bunch of kids who don't know what happens when a 6 year old gets scared. I've seen them take a 150 pound person to the bottom." She added that she had talked to T. Murray and it had helped. She said, "I stepped in last year because otherwise it was going down the drain." She added that she felt you could not run a good swim program in only 4 days, and felt that T. Murray should just do a "recreational swim" this year. She stressed that she thought the town should charge Anson Rec. to use the beach and swim dock.

4.13. Town Clerk/Treasurer –

- 4.13.1. B. Baker submitted a Treasurers Report of Lined Taxes.

4.13.2. B. Baker asked to have June 28th off, because it was the last day of the VBS program she taught at. C. Taylor stated he did not have an issue with it as long as R. Blake would be here and approved it.

4.13.3. B. Baker requested to go to the MOSES training class for hunting/fishing licenses on June 20 – 21 in Auburn. She stated she had never had the class. C. Taylor stated that they really needed her at the Informational Meeting on the 20th, and he felt it would be too much to go to class and attend the meeting. Discussion continued.

4.14. Registrar of Voters:

4.14.1. B. Baker stated she had nothing to report at this time..

4.15. Tax Collector – No Report.

4.16. Community Center –

4.16.1. E. Pratt stated there would be a stuffed pork chop supper Saturday night.

4.16.2. B. Baker asked how the Sandy River Ramblers concert went. W. McLaughlin said that only about 20 people attended. He added that they would have a meeting tomorrow night, but he wasn't sure if entertainment during the summer was a good idea.

4.16.3. He stated they had been talking about Bob Marley, and he wasn't sure how many tickets would be sold. He said he recommended doing the concert outside, but the idea was shot down. Discussion continued.

4.16.4. W. McLaughlin stated they were still having trouble with the valves at the ECCtr. He said they were disconnected right now.

4.16.5. He said they had talked about getting the stuff that D. Barron made into the basement.

4.16.6. He stated they needed to order a couple of "Confined Space" signs. B. Baker recommended talking to M. Witham about ordering them from White Signs.

4.16.7. W. McLaughlin stated that someone was still "raising heck" with the ball diamond. He stated they would be installing flood lights on a motion sensor.

4.16.8. He asked if the CERTeam would be using the Town Office basement. He said if R. Dunphy and his team were to present to the ECC again, maybe they would reconsider letting them use the ECCtr. R. Dunphy replied that he had the support of 3 Selectmen to use the Town Office, so he didn't care that they wouldn't let the team use the ECCtr. He added that the Town Office would get the benefits of having the CERTeam stationed there. He cautioned that they might have some "pissed off people," because the ECCtr was a town-owned building. C. Taylor stated, "I think over here [the Town Office] is better, because it won't interfere with what is going on over there [at the ECCtr]." Discussion continued. W. McLaughlin urged R. Dunphy to come back before the ECC. R. Dunphy replied, "I am only one of three members. I will bring it up to the other two, and if they want to come back before the ECC then we will, but why should we beg for a space when one is being given to us here?" C. Taylor responded, "I'm just telling you we are flexible. If you want to have it here [the Town Office], fine. If you want to have it over there [the ECCtr], and they [the ECC] are ok with it, then fine."

4.17. Emergency Management Directors –

4.17.1. R. Dunphy had nothing further to report.

5. Board of Selectpersons Concerns: None

6. New Business: None

7. Old Business:

7.1. Embden Spillway Replacement Project:

7.1.1. C. Taylor stated that the BOS had been receiving phone calls. He stated E. Pratt had documentation from Mr. Huggin listing 414.88' as the correct height for Embden Pond, and the plans to repair the spillway were for 415'.

7.1.2. E. Pratt stated she had spent a whole day walking around the lake and measuring, and had called the other Selectmen to tell them the height was "way too high." She stated the water was "at flood stage." She added that there was no beach at the north end of the lake, and the water had been way up onto the lawn at Creamer's camp. She said when she went to boat landing, she could not even get to where she had stood the night of the public hearing. She said she would like to see a benchmark of where the height was being set. C. Taylor stated the engineer would be here this week to put a mark at 415' so people could see where it would be. He stated they would be holding another Informational Meeting on Thursday, June 20th at 18:00 at the ECCtr. He stated they had talked about sending postcards. R. Dunphy asked whether they had enough time to get it posted in the required places. L. Mayo stated that they had done that for the previous meeting and people complained that they were unaware of it. R. Dunphy asked, "Why should we do something for non-residents that we wouldn't do for our own residents?" Discussion continued.

7.1.3. C. Taylor stated the engineer had told him that if the height were decreased, they would not need a new set of plans. L. Mayo replied that they would have to apply for an amended permit through DEP and ACoE.

- 7.1.4. E. Pratt made a motion (2nd – none) to have the Town Clerk send out postcards announcing an Informational Meeting to be held June 20th at 18:00 at the ECCtr to all camp and property owners whose property touched the lake. (3-0) R. Dunphy asked, “Why not send a notice to everyone?”
- 7.1.5. L. Mayo asked if the BOS were hosting the Informational Meeting. C. Taylor replied, “We are going to have to. You [the Planning Board] didn’t want to.” L. Mayo replied that the PB would not have anything to discuss until after the permit application came before the PB.
- 7.1.6. B. Baker asked if the BOS wanted the meeting posted as a legal notice in the newspaper. C. Taylor replied that it was not necessary because it was only an Informational Meeting.
- 7.1.7. W. McLaughlin asked if they could get DEP to attend the meeting also.
- 7.1.8. B. Baker asked whether they had thought about inviting the contractor to attend. C. Taylor stated, “I will make sure he is there.”
- 7.1.9. W. McLaughlin asked why Ann & Russell Bridges were so concerned. L. Mayo replied, “She just felt they didn’t get all of the information at the last meeting.”
- 7.1.10. L. Mayo asked if they should have another Dam Committee meeting before the Informational Meeting. C. Taylor said yes, he would call everyone so they could schedule it.
8. **Correspondence:** BOS reviewed correspondence.
9. **Community Relations, Announcements, and Open Public Forum:**
- 9.1. **Open Public Forum:**
- 9.1.1. L. Mayo asked about the stuff C. Dolan had found at the Town House. C. Taylor stated there was a bunch of stuff to go to the dump. E. Pratt stated she was not interested in the table; L. Mayo replied that he was. C. Taylor stated he could have it in exchange for taking the garbage.
10. **Executive Session (Non-Public) (ME §405):** None
11. **Next Meeting Announcement & Adjournment**
- 11.1. Next Regular Selectperson’s Meeting – Monday, June 17, 2013.
- 11.2. Motion to adjourn made by E. Pratt (2nd - W. McLaughlin). (3-0) Adjourned 20:58.

*Minutes submitted by:
Bonnie A. Baker*