

# Town of Embden



## Minutes of the Board of Selectpersons

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August 17, 2015

### 19:00 PM Meeting held at the Embden Town Office

**Board Members In attendance.** Scott LeHay, Elizabeth Pratt, & Charles Taylor

**Board Members Absent.** None

**Other Officials Present.** Ruth Blake, Robert Dunphy, Scott Martin (Winter Roads), Leo Mayo, & Michael Witham

**Members of the Public Present.** Eric Morrill & Frank Nile

**Secretary.** 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 August 3, 2015 as amended (3-0).  
*(4.18.5 corrected to read "school & the county.")*
  - 2.2. Reviewed Warrant #2015-016 totaling \$216,798.78. (3-0).
    - 2.2.1. S. LeHay asked to see the BOA time sheet. B. Baker replied that as an elected and stipend-paid board they did not turn in a time sheet. S. LeHay argued that they had always turned in a time sheet before. C. Taylor asked whether he was referring to the Assessing Secretary, whose time sheet was approved by the BOA Chair before being placed on the payroll warrant. S. LeHay said no, he was asking for the time sheets submitted by the Assessors themselves. B. Baker interjected that to her knowledge the Assessors had never submitted time sheets, only mileage reimbursement sheets. She asserted that the only town officials who submitted time sheets were the Road Commissioner who was paid hourly and the ACO who was paid by call. She added that the boards which were paid per meeting submitted a pay request sheet at the end of the year. S. LeHay requested a time sheet from the Assessors before they were paid next month. He amended that request to encompass all town officials, elected and appointed. E. Pratt pointed out that the BOS were paid a stipend as well. She explained that she attended the BOS meetings, along with some Thursday evening hours, plus dealt with phone calls. She stressed that she was not going to write all of those little things down. S. LeHay made a motion (2<sup>nd</sup> – E. Pratt) to require time sheets from ALL town officials, both elected and appointed. (2-1) C. Taylor voiced that he had voted against the motion.
3. **Appointments & Resignations.**
  - 3.1. **Planning Board Alternates (2)** – Tabled until next meeting.
4. **Department Officials Reports.**

**4.1. E-911 –**

4.1.1. E. Pratt stated E. Ketchum had called her with the following report.

4.1.1.1. She had ordered 3 Katie Crotch Road signs, but had not yet decided when they would be emplaced.

Discussion continued.

**4.2. Winter Roads Contractor –**

4.2.1. BOS & Contractor signed Winter Road Contract 2015-18, as voted on and accepted at ATM.

4.2.2. C. Taylor inquired whether the contractor had hired anyone local yet. E. Morrill replied that it would be, "Leroy, Adam...pretty much the same guys as last year."

**4.3. Animal Control – No report.**

4.3.1. BOS reviewed fax re: animal bite.

**4.4. Board of Assessors – No Report.**

**4.5. Planning Board –**

4.5.1. L. Mayo reported there was "nothing exciting."

**4.6. Local Plumbing Inspector –**

4.6.1. L. Mayo advised T. Petley was requesting permission to replace a leaking holding tank. BOS reviewed & signed.

**4.7. Board of Appeals – No Report.**

**4.8. Code Enforcement Officer – No Report.**

4.8.1. R. Dunphy stated it was, "Coming good with the building permits."

**4.9. Health Officer –**

4.9.1. R. Dunphy reviewed the two buildings that had been discussed previously as falling under the nuisance law. He asked whether the BOS had had a chance to contact the Town Attorney. He asserted that it was a whole different procedure than he had thought. He explained that in order to deem the buildings unsafe, the BOS would need to initiate the first communication with the property owners, notifying the owners that the item would appear on the meeting agenda, then the BOS needed to deem the building(s) as unsafe, and the owner(s) would have a certain amount of time to appeal the ruling. He stressed that the BOS should contact the town attorney for guidance before proceeding. C. Taylor asked, "But where do you stop? If you drive around town you will see plenty of these properties." He added that the BOS were acting on the recommendation of the Health Officer. E. Pratt articulated that she would want to see these buildings before she would vote to say they were unsafe. C. Taylor declared that he would contact K. Lexier. F. Nile asked if the property owner on Rt. 16 had even been contacted yet, or if the board was just going to go through this long drawn out procedure. R. Dunphy commented that the attorney, K. Lexier, had told him not to, because the town needed to follow this procedure with the BOS. C. Taylor asked if R. Dunphy had taken any pictures of the potentially-derelict buildings. R. Dunphy replied, "Not yet, but I can." C. Taylor specified, "You probably should." R. Dunphy stated that the buildings in question on Rt. 16 would soon fall down and plug the culvert. F. Nile interjected that there was no culvert, just a bridge between that property and the river. C. Taylor read from a proposed ordinance. L. Mayo said the Planning Board wanted to know who would enforce this ordinance if it passed. R. Dunphy revealed that Madison had a Property Maintenance Ordinance, and the enforcement of that took up approximately 90% of his time spent in Madison. He urged them to keep in mind that if the Town adopted such an ordinance, it would apply to the entire town. R. Blake asked why the BOS couldn't merely do a simple ordinance that just addressed falling down buildings. Lengthy discussion ensued.

4.9.2. M. Witham offered funds from the Summer Roads budget to aid in cleaning up the buildings if needed.

**4.10. Road Commissioner –**

4.10.1. M. Witham stated they had done some resurfacing.

- 4.10.2. He reported he had J. Kaplan spread four pallets of calcium, and planned to purchase four more pallets. He added that he was in hopes to rent a water truck for a couple of days.
- 4.10.3. He said the crews had done the Piper Road and Murphy Road, and worked on the Dunbar Hill Road as well.
- 4.10.4. He remarked that he planned to put base gravel on the West Shore Road, from the pillars down through, because the road was eroding. He said he would put ¾" gravel on top.
- 4.10.5. He told the BOS that by the cemetery there was not enough left to grade.
- 4.10.6. M. Witham announced that he wanted to address a couple of issues on the West Shore Road.
- 4.10.7. He stated he had spoken with someone regarding the shoulder machine.
- 4.10.8. He reported that he had a crew right now, and about 4 trucks going, trying to get as much done as possible.
- 4.10.9. C. Taylor made a motion (2<sup>nd</sup> – E. Pratt) to pre-pay the road crew before the next warrant. (3-0)

**4.11.R.S.U. #74 – No report.**

**4.12.Recreational Director –**

- 4.12.1. C. Taylor read written report.
- 4.12.2. R. Dunphy asked whether the BOS wanted to leave the dock in until after Labor Day. BOS said yes.
- 4.12.3. R. Dunphy asked whether Solon was charged for the use of the dock for their swim program. C. Taylor explained that S. LeHay would be reviewing the program to see where it could be "tweaked". F. Nile asked what the cost of the Swim Program was to the town. Discussion continued.

**4.13.Town Clerk/Treasurer –**

- 4.13.1. B. Baker submitted a Treasurer's Report of Outstanding Liened Taxes.
- 4.13.2. She advised that 20 Foreclosure Notices had been mailed on 8/7, with a due date of 9/22.
- 4.13.3. She submitted a Treasurer's Report. E. Pratt made a motion (2<sup>nd</sup> – C. Taylor) to accept. (3-0)
- 4.13.4. She submitted a Check Reconciliation. BOS reviewed & signed.

**4.14.Registrar of Voters.**

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

**4.15.Tax Collector –**

- 4.15.1. R. Blake informed the BOS that \$506,149 had been collected since her last report, and \$1,280,436 was currently outstanding.
- 4.15.2. BOS reviewed written report.
- 4.15.3. R. Blake expressed that many taxpayers were paying both tax installments now. She added that some were coming in a couple of days late and happy to find that they had accrued only a few cents interest.
- 4.15.4. C. Taylor asked when she was planning to take her vacation. R. Blake declared that she would be leaving this Friday after work (8/21) and return on Tuesday, September 1<sup>st</sup>.
- 4.15.5. C. Taylor asked how the new TRIO Motor Vehicle program was working. R. Blake replied that she loved it. She added that the system picked up on everything, and would remind her when she forgot to do something. She noted that this system was a lot more accurate.
- 4.15.6. She reported that she was not crazy about the set-up of the MOSES system.

**4.16.Community Center –**

- 4.16.1. C. Taylor communicated that the electric range at the ECCTR had died. He explained that R. Young had found an electric convection, gas range at Bubba's Equipment for under \$2,000. He added that it had 6 burners, and although it was used it looked like new. He stressed that there might be a problem getting gas lines to it, but he would check with Nate (BCF) to see if they would use corrugated steel lines for something like that. He voiced the concern that the ECC had a breakfast scheduled for the upcoming Saturday, and would need to purchase one before then. He asked if the BOS wished to authorize R. Young to purchase a new stove for the ECCTR. S. LeHay interjected that he had fixed the stove enough to get through the breakfast.

He added that he had given W. McLaughlin the phone number for a repairman that Bubba's Equipment recommended. He said that he wanted to try to get in touch with Jim Stephens before they did anything else. E. Pratt asked how much the BOS wanted to spend on this 1988 stove. F. Nile uttered, "How much money have we put into that building? We might as well fix that old stove." S. LeHay pronounced that he wanted to at least have someone look at the stove and give them an opinion on whether it was worth fixing. C. Taylor made a motion (2<sup>nd</sup> – E. Pratt) to "let Scott take the lead on it," and give him an open P/O to repair the stove. (2-0) F. Nile inquired, "If that building makes us so much money, why don't they buy their own stove." E. Pratt explained that in the past the group had paid half of the expenses for stuff like this. R. Blake noted that all of this stuff would stay with the building. F. Nile argued that if the ECC was making money, they should be able to buy their own stove. C. Taylor explained that the town did pay the insurance for the building, and that other expense lines for the ECCtr were scattered throughout the budget voted on at the ATM each year. He suggested that it could be said that the town could get by with merely a 30" range, and did not actually need to purchase a big 6-burner stove. He asked what the difference in price would be.

4.16.2. E. Pratt announced the following upcoming events:

Pork Roast Dinner – September 12<sup>th</sup>

Weight Watchers

Open Mic.

4.16.3. E. Pratt advised that the fans were working incredibly well.

4.16.4. M. Witham stated that a propane deep fryer had been donated to the group.

#### **4.17. Emergency Management Directors –**

4.17.1. R. Dunphy reported that nothing was going on with the CERTeam yet. He specified that the first time he was given a key it had taken about 6 months, and after he had lost the keys in his accident, a new one had not yet been issued. He told them that it had been "quite a while."

#### **4.18. RSU Withdrawal Committee ,**

4.18.1. C. Taylor announced that there would be a meeting held August 25<sup>th</sup> at 18:00.

4.18.2. He affirmed that the committee were coming up with a plan with the withdrawal attorney. E. Pratt noted that the attorney would be bringing the plan to the next meeting for the group to review.

#### **4.19. RSU Cost Sharing Formula Committee.**

4.19.1. C. Taylor remarked that there would be a meeting held August 26<sup>th</sup> at CCS at 18:30.

4.19.2. He said they were waiting on numbers from the state, and working on plans for the referendum.

5. **Board of Selectpersons Concerns.** None.

6. **New Business.** None

7. **Old Business.** None

#### **7.1. Limited Maintenance of Eames Road.**

7.1.1. BOS reviewed original request.

7.1.2. C. Taylor informed the BOS that he would draft something and then contact the Town's attorney. He asserted that any agreement would need to be reviewed annually.

7.1.3. E. Pratt asked, "Do we know that the State won't do it?" C. Taylor replied, "We've been told." He added that he would contact the State.

7.1.4. F. Nile said, "I'm not saying you should go rock rake the Eames Road. I don't care. But at least the townspeople get a benefit from that if they use it to go boating or fishing."

7.1.5. Discussion continued.

8. **Correspondence.** BOS reviewed correspondence.

**9. Community Relations, Announcements, and Open Public Forum.**

**9.1. Open Public Forum.**

9.1.1. F. Nile stated that the public had access to the boat landing and pond via the Eames Road, and the town did not maintain it, and yet the town plowed the Kiger's driveway. He asked whether the Selectmen had thought about discontinuing the winter maintenance on those roads that were essentially driveways. C. Taylor replied that there would have to be a petition to discontinue the maintenance on those roads, and the town would still be obligated to pay Nitram the amount stated in the Winter Roads Contract for the next three years.

9.1.2. F. Nile vocalized that he would like to see how much the town had spent on gravel and hot top over the course of the last five years or so.

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

**11. Next Meeting Announcement & Adjournment**

11.1. Next Regular Selectperson's Meeting – Monday, September 21, 2015.

11.2. There will be no meeting held September 7<sup>th</sup>.

11.3. Motion to adjourn made by E. Pratt (2<sup>nd</sup> – S. LeHay). (3-0) Adjourned 20:52.

*Minutes submitted by:  
Bonnie A. Baker, Town Clerk*