

Town of Embden



Minutes of the Board of Selectpersons

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March 21, 2016

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. Robert Dunphy, Leo Mayo, and Eric Morrill (Winter Roads)

Members of the Public Present. Kenneth Lexier (Town Attorney), Amanda Morrill, Frank Nile, Timothy Wahler, and Janice Welch

Secretary. Bonnie Baker

1. Charles Taylor called the meeting to order at 19:02.
2. **Consent Agenda.**
 - 2.1. Approved the minutes of the Board of Selectpersons dated March 7, 2016 as written (3-0).
 - 2.2. Reviewed Warrant #2016-006 totaling \$143,313.57. (3-0).
3. **Appointments & Resignations:** None.
4. **Department Officials Reports.**
 - 4.1. **E-911 –**
 - 4.1.1. E. Pratt advised that E. Ketchum had told her that nothing more would be done until the ground thawed.
 - 4.1.2. She stated E. Ketchum had spoken with someone in Augusta who affirmed that the name of the KCRd could be abbreviated on the signs. She added that E. Ketchum would attend a meeting at a later date to discuss this.
 - 4.2. **Winter Roads Contractor –**
 - 4.2.1. E. Morrill said he had nothing to report.
 - 4.3. **Animal Control –** No report.
 - 4.4. **Board of Assessors –** No Report.
 - 4.5. **Planning Board –**
 - 4.5.1. L. Mayo reported there was a possible subdivision coming up. He explained that the individuals had submitted the sketch plan, but had not yet submitted the remaining documentation necessary to be placed on the agenda.
 - 4.6. **Local Plumbing Inspector –**
 - 4.6.1. L. Mayo remarked that he had nothing to report at this time.
 - 4.7. **Board of Appeals –** No Report.

4.8. Code Enforcement Officer –

4.8.1. R. Dunphy declined to report.

4.8.2. He commented that there would be an appeal coming up.

4.8.3. He stated the Planning Board had tabled a request from Lowell Piper due to lack of information.

4.9. Health Officer –

4.9.1. R. Dunphy advised he had nothing at this time.

4.10. Road Commissioner – No Report.

4.10.1. F. Nile asked, "If I buy or lease a grader, could I have a job for the town, or do [the current contractors] automatically get it?" C. Taylor replied that the BOS had always left these decisions up to the Road Commissioner. Discussion continued.

4.10.2. B. Baker stated she had received a call about an individual logging on the Farmer Road that had been hauling last week when it was warm, across both the Farmer & Creamer Roads. She said the caller had claimed that both roads were now very messy, and the residents on the Farmer Road had to go out with rakes and shovels to try to make the road passable for their vehicles. C. Taylor stated he would get a hold of M. Witham.

4.11. R.S.U. #74 – No Report.

4.11.1. S. LeHay said the budget process was completed.

4.12. Recreational Director – No Report.

4.13. Town Clerk/Treasurer –

4.13.1. B. Baker submitted the following reports:

Treasurer's Report

Check Reconciliation Report

Expense Report

TRIO Expense Report (for comparison)

4.13.2. She affirmed that Payport was the only credit card processing software which fully interfaces with TRIO.

4.13.3. She said she was still waiting on a definite date from the auditors.

4.13.4. She asked whether individuals needed to be present at the April 4th meeting in order to be re-appointed.

C. Taylor replied, "I say not if they are unopposed."

4.14. Registrar of Voters.

4.14.1. B. Baker remarked that 88 people had voted in Embden on March 15th, with 48 of those being absentee voters. She added that the results in Embden had been 77 Yes, 10 No, and 1 Blank. She pointed out that the article had failed district-wide by a margin of less than 20 votes.

4.14.2. F. Nile asked about the postcards that had been proposed to make people aware of the recent elections. He said his understanding was that the BOS had voted against mailing them out to voters because they felt the cost (\$300) was too high. He said that many of the people he had spoken with had no idea there was an election on March 15th. F. Nile emphasized that \$300 would have been a small amount to ensure that voters were aware of such an important issue, and also to let people know that the Town Meeting dates and times had drastically changed this year. C. Taylor declared that F. Nile was just upset because he had lost the election. Heated discussion followed.

4.15. Tax Collector – No report.

4.16. Community Center –

4.16.1. E. Pratt announced the following upcoming/ongoing events:

Wildwood – April 2nd

Supper – April 9th

Steve & the Good Ole Boys – April 23rd

Snowmobile Supper

4.16.2. B. Baker thanked the ECC & more specifically, Wayne McLaughlin, for posting the March 15th election on their sign.

4.17. Emergency Management Directors –

4.17.1. R. Dunphy said nothing was happening yet.

4.17.2. He disclosed that his plan, if he was re-appointed, was to donate half of his annual EMA Director pay back to the municipality to purchase equipment for the new CERTeam.

4.18. RSU Withdrawal Committee .

4.18.1. E. Pratt stated she received a call from the lawyer saying he was going to contact the RSU's attorney, but they hadn't done anything yet.

4.18.2. T. Wahler advised that at the end of the last letter from K. Coville, he had said they had a meeting and recommended changes to the contract. He communicated that the RSU had sent those changes to their attorney to review and then would meet again before they scheduled a meeting with the Embden WC. He cautioned that Embden had, at the urging of the Town's Withdrawal Attorney, "asked for the moon and a few of the stars."

4.18.3. T. Wahler expressed hope that this could be ready for the November election.

4.18.4. R. Dunphy suggested contacting the Dept. of Education and telling them what the RSU is doing. T. Wahler replied, "I will leave that up to Madam Chairwoman, if she feels it is necessary." Discussion continued.

5. Board of Selectpersons Concerns: None

6. New Business.

6.1. Review & Sign Fire Protection Contract: BOS reviewed & signed.

7. Unfinished Business: None

8. Correspondence: BOS reviewed correspondence.

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

9.1. Open Public Forum:

9.1.1. T. Wahler thanked the C. Taylor for forwarding a copy of the Town's Articles of Incorporation. He noted that he had always thought that the town had a rudimentary charter, but had learned that we had none. He expressed his belief that the town should look into having a charter done. He stressed, "I would implore you to look into this for the future." C. Taylor stated that his understanding was that approximately 25% of Maine towns have a charter. K. Lexier explained, "These days, for the most part, people just don't have the time." E. Pratt said that there was a committee in the past which had spent years on it. R. Dunphy interjected that the proposed charter was supposed to have been sent to the State to see if they would approve it, but when he contacted the state he found that the Select board had never sent it down.

9.1.2. J. Welch mentioned that she wanted the BOS to be aware that the EPSC had reached out to the other party twice, and had received no response. She explained that they asked for an offer in writing, and had gotten a very vague paragraph in response. She said the EPSC had then sent a certified request asking for an actual monetary amount, but received no reply.

9.1.3. J. Welch remarked that there was concern about the subdivision that L. Mayo had mentioned (See 4.5.1).

9.1.4. E. Morrill asked whether the BOS had contacted the Water District regarding shoveling of the hydrants. He specified that he had been told by Mr. Partridge that the shoveling had originally been the responsibility of the Water District.

9.1.5. T. Wahler asked if the Water District planned to replace the main water line through town. S. LeHay responded, "No this year."

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

10.1. C. Taylor made a motion (2nd – E. Pratt) to enter into executive session pursuant to 1 M.R.S.A. §405(e). (3-0)

Entered into Executive Session at 19:50 with the CEO & Town's Attorney

C. Taylor made a motion (2nd – E. Pratt) to come out of executive session. (3-0)

Meeting resumed at 20:22

S. LeHay made a motion (2nd – E. Pratt) to authorize the Town's attorney to bring an enforcement action against the Benes for violation of the Town's Shoreland Zoning Ordinance. (3-0)

11. Next Meeting Announcement & Adjournment

11.1. Next Regular Selectperson's Meeting – Monday, April 4, 2016.

11.2. Motion to adjourn made by E. Pratt (2nd – S. LeHay). (3-0) Adjourned 20:24.

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