

SELECTMEN'S MEETING
October 16, 2007

PRESENT: TammyJo Girard, Dennis Abbott, Cindy Moore, Jon Gale, Nancy Brandt, Pam Witman, David Lowe, Pam L'Heureux, Jason L'Heureux, Richard & Ruth Sevigny, Bob Gobeil, Dwayne Woodsome, Nancy Johnson, Nancy Roberge, Brenda Roberge and Larry Jacobsen.

Meeting called to at 7:00 p.m. by Selectman Abbott with the Pledge of Allegiance.

ANNOUNCEMENTS

Announced that there will be a rabies vaccination clinic on December 1st at the Bar Mills Fire & Rescue.

APPOINTMENTS

7:00 – Nancy Johnson reviewed the new recommended GA Maximums from the state. Motion by Selectman Moore and seconded by Selectman Girard to add discuss/vote on GA maximums to the agenda under new business. Vote 4-0-0.

REPORTS

A) Town Administrator

1. Reported that the removal of the trailer from next door will start on Monday. Will be going to Plan-It Recycling and they will recycle as much material as they can.
2. Reported that she has the quarterly reports distributed.
3. Held training last week on the debit & credit cards so can now accept them. In order to take them at the Transfer Station we need to have cable installed.
4. Reported that the tax bills are out and people started receiving them today.
5. Have contacted two contractors to look at the library steps but have not heard back from them.

B) Selectmen's Report

1. Selectman Girard reported that she met last Thursday with the Road Review Committee and they have their template for the By-Laws. Their next meeting is November 14th and will be looking at the By-Laws.
2. Selectman Girard reported that last night she met with WAB and they are doing the fundraiser again on December 8th pumping gas at Lakeside for the fuel fund. Encouraged anyone interested to come and help pump gas.
3. Selectman Girard reported that Dave Chauvette will be replacing Nathan Ford as the Public Safety rep. on the North Station Building Committee. Reported that the Public Safety Committee met with Hannaford on the parking and they will be installing new signs and possibly putting something in each customers bag for one week informing them that parking in the fire lane will not be tolerated and will be ticketed. Have also offered to pay a portion of the first order of tickets. Also reported that the board should be receiving a letter from the Public Safety Committee regarding Constables. Stated that state law requires that the town have a constable and the committee is recommending two.
4. Selectman Abbott reported that he along with Selectmen Moore and Grover attended the Lake Association meeting on Saturday and held good discussion with regard to the meeting on October 30th with F.E.T.

5. Selectman Gale reported that he met with the 11 Town Group last night regarding PSAP/dispatch issues. Also discussed the MMA meeting on Executive Sessions, minutes and reasons for going into Executive Session. Also held some discussion about sharing services.

C) Committee Reports

1. Nothing to report

NEW BUSINESS

1. Selectman Abbott stated that since we are working on By-Laws and Mission Statements we should have a Code of Ethics which could be referred to in these other documents. Nancy stated that she got some from other towns and Selectman Abbott suggested that they look at them for a week then bring back and adopt a boiler plate next week.
2. Selectman Abbott stated that this is just a follow up on the action items. Will work with Pam to set up a way to track these where they can be accessed by everyone. Should review on a regular basis.
3. Motion by Selectman Moore and seconded by Selectman Gale to accept the new maximums for GA as set up by the state. Vote 4-0-0.

OLD BUSINESS

1. Discussed the generator wiring bids and Nancy recommended that they go with the low bid of \$12,000 from Energize ME. Explained that this will be partly underground and partly overhead. Stated that this is the only bid that went completely by the specs. Motion by Selectman Gale and seconded by Selectman Girard to award the bid to Energize Me for \$12,000. Vote 4-0-0. Dwayne stated that when this is done you will still only connect this building and not the other building so the EMA Director will not have electric or internet service in her office in an emergency. Nancy stated that the generator is not big enough to do both buildings.
2. Nancy provided the board with sample contractor contracts. Selectman Abbott suggested that Nancy draw up a boiler plate and bring back for a vote by 10/30.
3. Nancy Roberge addressed the board regarding Eon Way. Stated that it has been plowed since 1960 so maintained over 40 years so falls under prescriptive use. Stated that the Road Review Committee has recommended accepting as a town road and has had a title search done by Bryce Ingram. He recommended a deed from Sadie Leavitt as well as one from David Eon and they are both willing. Stated that Ricker Lane was accepted by the Selectmen and Nancy Brandt stated that Ricker Lane was accepted by town meeting in 1991. Nancy Roberge stated that when her home was purchased in 1990 Eon Way was listed as a public road, Farmers Home would not have handled the mortgage if it was a private road. Richard Sevigny stated that a letter dated 10/29/06 from the town attorney states that the town can plow and sand without accepting providing they receive an easement and it should go to town meeting. Nancy Roberge stated that she was told in January to find out the owner and bring back for acceptance. Selectman Abbott stated that there was an action taken removing several private roads or perceived private ways from the snowplowing contract starting in 2001. He was not comfortable setting a precedent and as a Selectman accepting a road. Stated that they can put it on the Annual Town Meeting which will be in June. Dwayne stated that the road book that everyone refers to was never voted on and accepted at town meeting. Selectman Gale stated that they have a well developed argument but it is one sided. Would like to see this decided by the townspeople. Selectman Moore stated that

what bothers her is why it was removed at all. Selectman Girard stated that there is no question that Eon Way is a private way. In 1989 the state ruled that towns could not spend public funds on private roads. Has done a lot of research and can not find any town meeting minutes accepting Eon Way as a town road. All her research indicates it does not fall under prescriptive use. Nancy Roberge stated that it is the property owners right to petition the Selectmen to accept their road. Dwayne stated that a year ago we were told that the town owned the road and even had a deed but now has been proven that it is a privately owned road. Richard Sevigny stated that it seems previous boards had more consideration for all residents and they are now not treated equally. The town took responsibility for this road back in 1960. Selectman Girard stated that a letter was sent out in 2001 to residents informing them that they would not be plowing after that season and giving them an opportunity to petition the town to accept their road. Selectman Abbott reviewed minutes of several meetings where Selectmen attempted to put to a town meeting vote. Selectman Gale noted that the power over the Selectmen is town meeting and he is reluctant to make this type of decision. Selectman Abbott felt they should get a legal opinion of the new evidence. Motion by Selectman Gale to put this off until we get more information. Failed for lack of a second. Motion by Selectman Girard and seconded by Selectman Gale to send to town meeting. Dwayne stated that they will need a road layout and public hearing and should do all that prior to town meeting. Vote 3-1-0 with Selectman Moore opposed. Will send the letter from Bryce Ingram to the town attorney.

4. Selectman Abbott reported that they have reviewed the applications for the Town Planner and have it down to those they wish to interview. Discussed who should be involved and suggested two Selectmen, two Planning Board members, two from the previous Hiring Panel and the Town Administrator. Selectman Gale stated that he would like to be involved in the process as there is an effective way of interviewing. Will be formulating the questions. Selectmen Moore and Abbott will be the Board representatives to interview the applicants.

OTHER

1. Motion by Selectman Girard and seconded by Selectman Moore to sign the warrants for bills and payroll. Vote 4-0-0.
2. Motion by Selectman Girard and seconded by Selectman Moore to accept the minutes of 10/9/07 as presented. Vote 4-0-0.
3. Selectman Abbott read the reminders.

DISCUSSION OF AGENDA ITEMS

1. Code of Ethics
2. Draft of Contractor Contract if ready
3. Action Items under Old Business

ADJOURNMENT:

Motion by Selectman Gale and seconded by Selectman Moore to adjourn at 8:30 p.m. Vote 4-0-0.

SIGNED:

Warrants for bills and payroll
Minutes of 10/9/07

APPROVED:

Date: _____
