

## SELECTMEN'S MEETING

April 23, 2019

5:00pm

### 1. APPROVAL OF AGENDA:

Selectmen Elise Miller made a motion to approve the agenda; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor. Approved.

### 2. MINUTES OF LAST MEETING:

Selectmen Elise Miller made a motion to approve the minutes of April 9, 2019 and April 16, 2019; seconded by Selectmen Kimberly Stacey-Horn. No discussion. All in favor.

### 3. DEPARTMENT HEAD / COMMITTEE CHAIR UPDATES:

None. The Town Administrator informed the Board that Recreation Committee offered but since they did their update last meeting it was not necessary for them to appear.

### 4. OLD BUSINESS:

#### A. EMA Director/E911 Operator Job Descriptions

The Town Administrator confirmed that the EMA Director position has been advertised. Mrs. Roux also responded to the Board that the Code Enforcement Office has looked at the 911 position. After doing their research Mr. Paul would like to speak to the Board regarding findings and thoughts.

#### B. Rowe Bridge

The Town Administrator informed the Board that Mr. Joe Letourneau did meet with 2 HEB Engineers on Monday and the Engineers will report back in about 3 weeks.

#### C. 7th Street

The Town Administrator updated the Board on her conversations with Mr. Mark Cote. There are some areas of concern that was reviewed. One concern regarded the fact that there is no Engineering Report and clarity is required on whether or not one is required based on the way the ordinance is written. In addition, the 34 feet is not included and Bourge & Clegg will need to get back to the 7<sup>th</sup> Street Attorneys to decide if that is something that can be done prior to getting on the Warrant or if a recommendation to not go on the Warrant will be made. Mr. Cote is aware of this process.

#### D. Road Commissioner and Road Committee Ordinances

Selectmen Walsh presented an update. The Board held a public hearing on Monday, April 22, 2019 and it went very well. Prior to Public Hearing, the Board met with the Road Commissioners and the Road Committee which was productive in rewriting the job descriptions for both the Road Commissioners and Road Committee. Good participation. The Town Administrator recommended the Board make the changes they want to make and then present a final draft at another Public Hearing. Selectmen Miller recapped a few of the suggested changes. The Board talked them over and decided what they wanted to change.

- Regulations in sentence #2 should be a little clearer. Words need to be smoothed out. The Town Administrator will make those changes.
- Gavin brought up the Comp Plan. Joyce Bakshi approached the Board to reported that all items in the Comp Plan have been reviewed. If the Road Committee job description passes, the Comp Plan will need to reflect those changes. The Town Administrator will review with Mr. Paul. The Comp Plan is still in the work of being updated.

Comment made, "What happens if it doesn't pass?"

Selectmen Miller commented that with the Road Committee when this takes effect after the secret ballot, then a new Road Committee according to this ordinance will be reelected at the Saturday Town Meeting. It was further asked, "Is that what is going to happen with the Road Commissioners too?"

The Town Administrator responded, "No, the Road Commissioners by default are on the Road Committee."

Selectmen Walsh ask, "What happens to the two Road Commissioner positions if the Road Commissioner ordinance passes?"

The Town Administrator responded, "Nothing. There is no prior ordinance or prior seats that the Board will need to look to resolve. The Road Commissioners are already elected positions."

Mrs. Roux continued that she had a few people come in with regards to the Road Commissioner piece.

Selectmen Stacey-Horn spoke up that she also had a couple of comments too.

Proposed changes and comments included are:

- Subcontractors: It was discussed to possibly add something to the affect that if the Road Commissioner chooses the subcontractor, they still need to meet the regulations set forth by the Town, which requires drug testing, liability insurances, etc.
- Contact Information: A resident made a comment to include that if the Road Commissioner leaves Town, they need to leave behind contact information with the Town office.
- Road Committee Responsibilities: Wording should reflect that since Road Commissioners are part of the Road Committee, they should have listed as a job responsibility to attend Road Committee Meetings.
- Under definition for Emergency, the wording should be changed to eminent instead of immediately in danger.
- Under responsibilities, the words "Road and Highway" should be "Ways" so as not to include private roads.
- Address access to Town Ways (13<sup>th</sup> Street) in the Winter regarding maintenance.
- Suggested to tighten up planning ahead to have a time line attached. (3 year and 5 year plan).
- Suggested a done by date for the Town Report. September 1 was chosen.
- Gavin mentioned, "Who is liable if any resulting damages happen if a defect isn't corrected?" The Town Administrator will look into the statutes and report back to the Board; Bourge & Clegg will need to conduct a review of the statues. This review will include the culvert statues as well.

- What would the Road Commissioner's do if a road fails? Making road passable or do a total reconstruction? Goal is to bring road up to standards or same condition but budgets, timing, conditions will all need to be considered. The Town Administrator will have the Town's Attorneys review this item as well.
- Clarity on major projects and requirements; exempt paving and summer maintenance. The Town Administrator will pull the statute and reword.

Monday, May 13<sup>th</sup> is the next scheduled Public Hearing; advertising will be done to receive all comments so that the Public Hearing will be on the final draft of ordinances.

#### E. Tattle Street

The Town Administrator informed the Board that there was a group from Tattle Street in attendance and that their spokesman, Mr. Winn was available to answer any questions on the documents that the Board received electronically. The Road Committee will also be meeting with the Tattle Street group on Thursday, April 25<sup>th</sup> to review the submitted application. There is hope a decision will be made at that time and a recommendation will be presented to the Board at the next stated meeting.

Mrs. Cindy Hart spoke stating the Road Committee was walking the street tomorrow (Wednesday, April 24<sup>th</sup>).

Mr. Ken Winn approached the Board and brought them up to date on what was done to qualify for the funds. Mr. Winn told the Board that the following conditions have been done thanks to Mr. Jeff Goodwin, Road Commissioner in Shapleigh:

- Road has been graded;
- scrub brush had been removed;
- and storm drains have been cleaned out at different times.

Mr. Winn stated they were a legitimate statutory Road Association and definitely were seeking the funds to help maintain their road.

The Board of Selectmen will make a decision next Tuesday at their next stated meeting after they receive the Road Committee's recommendation. All packet information appears to be in order.

#### F. Paving Bid

The Town Administrator needs to still get together with both Road Commissioners to get the bid together. Tabled until next Tuesday.

#### G. Liquor License Petition

The Town Administrator updated that the Town Office has certified most signatures, but is still working on eliminating duplicate signatures. Mrs. Roux believes there are enough valid signatures and will have an official report next Tuesday.

### 5. NEW BUSINESS:

#### A. Rec. Fields

The Rec Director called, he is seeking permission to put up some temporary fencing where the ditching has not yet been back filled. This measure will alleviate putting off practices until that task can be done. Selectmen Walsh indicated there was water in the ditch and the pipe needed to be checked to make sure the pipe has not been compromised with said water.

Mr. David Langley approached the Board to state that where this ditch is located, it is not an insurance issue because the location is not accessible by children. But, by placing this orange fencing on Saturday with the Board's permission, it will cover Maine Municipal Association's requirements for safety. The pipe's integrity will also be checked because water did come into the ditch quickly. Once the weather dries up, the ditch will be taken care of. Pictures will be taken before and after.

**B. Friday, April 26**

The Town Administrator requested of the Board permission to close the office at 2:30 pm on Friday, April 26, 2019. The Board had no problem with the request.

**6. PUBLIC COMMENT:**

Dennis Long approached the Board to thank David Langley for stepping up to the plate when it comes to the Rec. Due to weather things did not get done. There is lighting to be installed and more ditching to be done. For him to step up and maintain it he just wanted to say thank you.

Joyce Bakshi approached the Board to ask for clarification on the difference between the Road Committee and Road Commissioners and why one ordinance would dissolve the elected officials to start anew and not the other one. The Town Administrator responded that there is a legal blurb on the ordinance indicating the Road Committee needs to be redone. The Town Administrator stated the Board can look at it and adjust accordingly, it just needs to be spelled out. The Town Administrator will provide Mrs. Bakshi the clarity she requires.

**7. ANNOUNCEMENTS:**

- Earth Day Roadside Clean Up, April 27, 2019 at 9am, School
- Comedy Show, May 10, 2019, 6:30pm, School to benefit the Odyssey of the Mind team.
- The Library will be hosting a "Fancy Nancy" tea party on Saturday, May 11 at 10:00 am, Town Hall. No Glitter. Wear fancy dress. Girls and Boys are all welcome to dress up.

**8. MEMBERS PRESENT:**

Selectmen Ed Walsh, Selectmen Elise Miller, Selectmen Kimberly Stacey-Horn and Town Administrator Jennifer Roux

**9. OTHERS PRESENT:**

Mr. Robin Ham, Mr. Rollin Waterhouse, Mr. William Langley, Mr. Paul Poyant, Mr. Dave Langley, Mr. Gregory Vermette, Mr. Dennis Long, Mrs. Joyce Bakshi, Mr. Arnold Murray, Mr. Richard Hart, Mrs. Cindy Hart, Mr. Kevin Corbett, Mrs. Georgia Crossley-Winn, Mr. Ken Winn, Mrs. Adele Scritchfield, Mr. Billy Scritchfield, Mr. Derek Gauvreau, and Mr. Chris Watken.