

**Minutes
Town of Skowhegan
Regular Selectmen's Meeting
5:30 P.M.
Tuesday, February 14, 2017
Municipal Building – Council Room**

Board of Selectmen:

Donald Skillings, Chairman (Absent)
Paul York, Vice Chairman
Betty Austin
Darla Pickett
Soren Siren

Town Manager:

Christine Almand

Executive Secretary:

Cara L. Mason

Call Selectmen's Meeting to order.

Paul York called the meeting to order.

The Pledge of Allegiance to the Flag of the United States of America was recited.

1. Town Manager's Report

On February 8th, Sappi announced a \$165 million investment to rebuild paper machine #1. This is great news that will help to secure 750 jobs well into the future.

The revaluation fieldwork is continuing. They are currently doing commercial and exempt property data collection. For more detailed information, visit our website.

The Foreclosure Sale Bids close on February 22nd at 1:00 pm. For more information, visit our website or contact the Town Manager's Office.

Reminder: There is a Run of River Workshop on February 28th at 4:30 pm.

The Town offices will be closed on February 20th in observation of Presidents Day.

There is a Benefit for Andrea Curtis and Tyler at the Community Center on February 18th at 6:00 pm. It will be a benefit basketball game with teams of Fire and EMS. Andrea and Tyler were injured in a fire on North Avenue in December.

The FAB Fair is being held at T&B's Celebration Center on February 25th from 10:00 to 3:00. For more information, contact the Skowhegan Area Chamber of Commerce.

2. Items by the Public

There were no Items by the Public.

3. Selectmen's Items

Betty Austin said she had been in a meeting at the Civic Center in Augusta, where she kept hearing things about Skowhegan. They talked about the Sappi investment being made and the early childhood programs offered here. It is nice that other people in the state think that we are doing great things.

Darla Pickett said Happy Valentine's Day.

Soren Siren thanked all of the Town departments for their hard work during the storms.

Paul York also thanked the Town departments. He reminded the public to be careful. Snowbanks are high right now.

4. Department & Committee Reports

Brent Dickey said that one of the aluminum hatches that covers the CSO tank in the Park and Ride Parking Lot next door was damaged during snow removal.

A motion was made by Darla Pickett and seconded by Betty Austin to replace the hatch in the parking lot next to the Veteran's memorial and expend an amount not to exceed \$2,945.00 from the Collection Systems Upgrade Reserve Account.

Vote: 4/0

Presentation:

1. Paul York will present the Rapid Intervention Team with a Proclamation, recognizing them for actions taken saving the life of another.

The fire department was at a fire scene. This item was moved to the February 28, 2017 Selectmen's Meeting.

Public Hearings:

1. Discussion and decision to approve the Application for License for Incorporated Civic Organization to allow the Rotary Club to hold the 6th Annual Rotary Beer & Wine Tasting on March 25, 2017 from 5:00 p.m. until 8:00 p.m. at the Skowhegan Armory.

Paul York opened the Public Hearing.

There were no comments.

Paul York closed the Public Hearing.

A motion was made by Darla Pickett and seconded by Betty Austin to approve the Application for License for Incorporated Civic Organization to allow the Rotary Club to hold the 6th Annual Rotary Beer & Wine Tasting on March 25, 2017 from 5:00 p.m. until 8:00 p.m. at the Skowhegan Armory.

Vote: 4/0

Recording Time: 09:08

5. Discussion and decision to approve the applications for Special Amusement Permits for the following:

Bigelow Brewing Company Term Expiring February 14, 2018
473 Bigelow Hill Road

Washburn Enterprises LLC Term Expiring February 14, 2018
414 Madison Avenue

Paul York opened the Public Hearing.

There were no comments.

Paul York closed the Public Hearing.

A motion was made by Betty Austin and seconded by Soren Siren to approve the applications for Special Amusement Permits for Bigelow Brewing Company and Washburn Enterprises LLC with terms expiring February 14, 2018.

Vote: 4/0

Consent Agenda:

1. Approve the Minutes for the following:

Regular Selectmen's Meeting January 25, 2017

2. Approve Taxi Driver Permits for the following:

Mac's Taxi

Joseph E. Lasota Brandon Libby
Thomas M. Knott
Shelly L. Libby

Mr. J's Taxi

Richard L. Jackson
Dwayne E. Currier
Lisa M. Berube

Rebecca A. Currier
Kevin J. Chamberland
Tanya M. Wolfe

Skow Town Taxi

Sean M. Cates
Jesse L. Cook
Donna L. Gordon

Earlene D. Thomas
Pamela J. Walker

- 3. Approve Taxi Vehicle Permits for the following:

Mac's Taxi

2000 Ford Taurus
1996 Toyota Camry

VIN 1FAFP53U2YA268884
VIN 4T1BU12K8TUS03897

Mr. J's Taxi

2004 GMC Envoy

VIN 1GKDT13S642223668

Skow Town Taxi

2000 Buick Lesabre
2008 Chevy Impala

VIN 1G4HP59K9Y4106468
VIN 2G1WB55K189122310

A motion was made by Betty Austin and seconded by Darla Pickett to approve the Consent Agenda as written.

Vote: 4/0

Regular Agenda:

- 1. Discussion and decision to appoint David James to the Budget & Finance Committee with a term expiring June 30, 2019.

A motion was made by Betty Austin and seconded by Soren Siren to appoint David James to the Budget & Finance Committee with a term expiring June 30, 2019.

Vote: 4/0

- 2. Discussion and decision to appoint Michelle Cummings to the Budget & Finance Committee with a term expiring June 30, 2018.

A motion was made by Soren Siren and seconded by Betty Austin to appoint Michelle Cummings to the Budget & Finance Committee with a term expiring June 30, 2018.

Vote: 4/0

3. Discussion and decision to approve the Application for Parades and Processions to allow Jodie Mosher-Towle to hold the 5th Annual Pancreatic Cancer 5K on September 23, 2017 at 10:00 a.m., and to waive the insurance requirement.

A motion was made by Soren Siren and seconded by Betty Austin to approve the Application for Parades and Processions to allow Jodie Mosher-Towle to hold the 5th Annual Pancreatic Cancer 5K on September 23, 2017 at 10:00 a.m., and to waive the insurance requirement.

Vote: 4/0

3. Discussion and decision to waive the bid process to purchase a 2017 Kioti Mechron 2200 for \$7,490.00 with the trade-in of the 2012 Snapper with snowblower. (Original price of the 2017 Kioti, before trade-in and rebate = \$11,990.00).

A motion was made by Darla Pickett and seconded by Soren Siren to waive the bid process to purchase a 2017 Kioti Mechron 2200 for \$7,490.00 with the trade-in of the 2012 Snapper with snowblower.

Vote: 4/0

4. Discussion and decision to expend an amount not to exceed \$950.00 from the Recreation Department Reserve Account, Building Designation to purchase two time clocks for the HVAC system.

A motion was made by Soren Siren and seconded by Betty Austin to expend an amount not to exceed \$950.00 from the Recreation Department Reserve Account, Building Designation to purchase two time clocks for the HVAC system.

Vote: 4/0

5. Discussion and decision to award the CSO Phase 3.5 Bid to Lou Silver Inc. with a total bid price of \$2,144,641.00. This will be paid from the Sewer Bond.

A motion was made by Darla Pickett and seconded by Betty Austin to award the CSO Phase 3.5 Bid to Lou Silver Inc. with a total bid price of \$2,144,641.00.

Mandy Olver said that this is \$400,000.00 below the estimated cost of the project. They are familiar with the contractor. She doesn't feel that there should be any hesitation to award the bid.

At the end of this project, there will be approximately \$800,000.00 left. DEP requires a Master Plan update. That will be when you will want to decide whether we do the study...or whether we use the money to do further upgrades before the study is done.

Vote: 4/0

6. Discussion and decision to accept New Balance, Move More Kids grant funds in the amount of \$11,000.00 from MSAD #54 for after school and school vacation programs.

A motion was made by Betty Austin and seconded by Soren Siren to accept New Balance, Move More Kids grant funds in the amount of \$11,000.00 from MSAD #54 for after school and school vacation programs.

Vote: 4/0

7. Discussion and decision to accept State of Maine, Municipal Snowmobile Grant in the amount of \$25,774.00 for Skowhegan, Mercer and Norridgewock trail maintenance.

A motion was made by Soren Siren and seconded by Darla Pickett to accept State of Maine, Municipal Snowmobile Grant in the amount of \$25,774.00 for Skowhegan, Mercer and Norridgewock trail maintenance.

Vote: 4/0

8. Discussion and decision to release the cash guarantee for the expansion of Timberview Estates (completion of Ryan Lane) and replace it with a \$65,000.00 Letter of Credit.

A motion was made by Soren Siren and seconded by Betty Austin to release the cash guarantee for the expansion of Timberview Estates (completion of Ryan Lane) and replace it with a \$65,000.00 Letter of Credit.

Randy Gray said that the Planning Board decided to take no action on the proposal that was brought before them last week. The proposal was to release the \$65,000.00 cash and replace it with a \$35,000.00 letter of credit. He said he believes that the Planning Board would be in favor of it now that it is equal to the cash amount.

This will free up the cash so that he can finish the subdivision. He had to pay for the letter of credit, so that gives some incentive to finish the road. He has an agreement that it will be completed by October 15, 2017. Randy Gray said that this is a win for everyone.

The Letter of Credit has to be an irrevocable Letter of Credit. He cannot use it for any other project. It is the bank sending the Town a letter saying that \$65,000.00 has been set aside, that is accessible to the Town, should he fail to bring that road into compliance with the subdivision law. That stays in place for one year after the project is completed.

Vote: 4/0

9. Discussion and decision to allow Jeff Hewett to hold a Public Hearing on February 28, 2017 at 5:30 p.m. to discuss the Micro-Enterprise Assistance Program (Façade) Grant.

A motion was made by Soren Siren and seconded by Betty Austin to allow Jeff Hewett to hold a Public Hearing on February 28, 2017 at 5:30 p.m. to discuss the Micro-Enterprise Assistance Program (Façade) Grant.

Vote: 4/0

10. Discussion and decision to allow Greg Dore to hold a Public Hearing on February 28, 2017 at 5:30 p.m. to discuss the Island Avenue Park and Ride Parking Lot.

A motion was made by Betty Austin and seconded by Soren Siren to allow Greg Dore to hold a Public Hearing on February 28, 2017 at 5:30 p.m. to discuss the Island Avenue Park and Ride Parking Lot.

Vote: 4/0

Recording Time: 21:12

11. Discussion regarding the Lake George Annual Audit.

Steve Dionne said that the agreement between the State of Maine and the Town of Skowhegan regarding Lake George Regional Park, under Article 6, states that the Town shall maintain records of the accounts for the Lake George and that the records shall be verified in the annual audit. This is the 20 year agreement that automatically renews. It does not specifically say who will pay for the audit, but it was done by the Town until 2010.

He asked that the Town pick up the audit again in order to help out.

Darla Pickett asked if that adds work for the Town employees.

Gail Pelotte said that she does not believe that it adds any work for us. Lake George supplies the information to the auditors.

Christine Almand said that the quote from the auditor was \$600.00 to \$700.00. Even though it is required by the State agreement, she said she is not sure if Canaan ever included this in their audit. Some awareness is also being brought to them that this needs to be included in their audit.

Steve Dionne said he felt that the \$700.00 estimate is high for what their audit would entail. This same company has been doing their 990 form for them for several years.

We are not talking about a large amount of money and the park is a huge asset to this area. We are servicing 25,000 people per year. We are doing that with one full-time employee and one part-time employee. There is no money coming from the town or the state. We hold four fundraisers per year. The gate fees only make up about 25% of the budget.

Steve Dionne said it is ironic that the Town is trying to develop this water park right next to Lake George. Lake George has 350 areas, two beaches, two bath houses and the trails. It is an incredible asset.

Soren Siren said that he thinks it would be reasonable if Canaan would pay half.

Steve Dionne said that he would ask Canaan about splitting the cost.

The item was tabled.

12. Discussion regarding Moody Street.

Christine Almand said that she had sent letters to the three abutters that we had not heard from.

The Elks Lodge had no interest in seeing the right-of-way that crosses their property becoming a town way. Mr. Kresge said he would like to see the survey done to see how it would impact his property. Mr. Corson wouldn't be impacted unless the section of road that the Elks Lodge talked about was accepted. He was concerned about what that would do to his property. Mr. York is not interested in signing an easement. She still has not heard from Mr. Quirion.

The quote for the survey was \$1,950.00.

Mr. Bolstridge also submitted a letter.

Paul York said that we keep discussing this, but don't seem to be moving forward. At some point we need to make a decision on how to proceed.

Darla Pickett asked Mr. Bolstridge what impact it would have on him if we decided to not accept it as a Town Way. This would mean that we would stop plowing it.

Mr. Bolstridge said that he believes that we could not stop plowing it because we have done it for so many years. The only way we could stop is to have it voted by the Town.

Soren Siren said that the advice that we got from our attorney disagrees with that.

Betty Austin said she doesn't like the idea that people thought they lived on a town road and now we are going to not pursue it.

Darla Pickett said that nobody is happy about it.

Soren Siren said that if all of the abutters agreed to it, then he would agree. But he does not agree, because we potentially would be taking away somebody's rights to their property. Even with the survey, we would have to have easements to parts of these properties.

Betty Austin said that we have not done a survey. We do not know what would happen.

Christine Almand said that with the easement being 20 to 25 feet from the center of the road, this will definitely impact these property owners on either side. This situation is different from the streets taken over in 2010. Those property owners all lived on the street and received a direct benefit from the Town taking over the streets. This one is different in that all of the abutters do not have driveways on the street, and do not receive direct benefit from it.

Greg Dore is very sick. He feels that it would only be fair to plow until the end of this winter, because of the difficulty they would have finding somebody in the middle of the season.

Soren Siren said he would like to see this voted one way or the other.

Paul York said that even if we do take this over...it doesn't mean we are going to do anything to it. It will stay as it is now.

Darla Pickett asked what the survey would accomplish. How much further would we be in deciding what to do?

Christine Almand said that the survey would tell us how much of an easement we would need on each of the abutting properties.

Darla Pickett said that these people will say no again.

Christine Almand said that the majority of the property owners have already said that they are not interested. There is one who would like to see how it would impact his property.

Darla Pickett asked how it was given a street name if it wasn't a town way.

Randy Gray said that any way that has more than two houses has to have a street name.

Christine Almand said that this was a subdivision back in the 1980s.

Judi York asked how this would affect taxes on these properties.

Christine Almand said that this would not affect taxes. These homes are already downgraded because of the condition of the road. Other homes on private roads are downgraded in the same way.

Darla Pickett asked if a right-of-way can be plowed.

Christine Almand said that the Town cannot plow on private property. If it is not a town road, then it is private property.

Darla Pickett said that even if we pay to do the survey, these property owners don't want to sign off...we are still in the same situation.

Betty Austin said that at least if we do the survey we will have better information.

Christine Almand said that Soren Siren had talked about imminent domain. She said she is not sure that Skowhegan wants to take those easements by imminent domain.

Recording Time: 46:54

If we did the survey and could tell the property owners exactly how many feet we would need for an easement, they still could say no. The only way then, would be to take them by imminent domain. That would have to be approved at Town Meeting and we would have to pay out for those easements. Those could also be challenged in court, and it could be a lengthy process.

Betty Austin said that even if the property owners signed over the easements...it would still have to be approved at Town Meeting.

Betty Austin said that if we are going to plow for the rest of this winter...it is better that we don't take a vote right now. Then we definitely would be doing something illegal.

Mr. Bolstridge said that the right-of-way should be right in the deeds of the property owners anyway. They already have given up the rights to that part of the property.

Christine Almand said that he can see those deeds at the Registry of Deeds. She does not have those deeds.

Soren Siren said that we could put it in the hands of the people who want this to be a town way. Let them bring us the evidence that it should be a town way. We should not take that cost on.

Mr. Bolstridge said that the corner lot was surveyed...then a fence was put up. The brush has grown up and nothing has been done about it.

Darla Pickett said that there has been no maintenance done on that street in at least 20 years.

Soren Siren said that we need to make a decision and give some finality to this.

Mr. Bolstridge asked why he should have to look up the information. The Town Manager has all of the information.

Soren Siren said he lives on a private way. There are issues. There are changes and people that like things another way. He has had to do his homework.

Christine Almand said that the Town does not get involved in civil issues. Property owner to property owner issues are dealt with through the court system. Pulling up deeds at the registry is not sufficient. She said she is not a lawyer and does not read deeds sufficiently say where the lines are or how many feet would be needed for an easement.

Soren Siren said he is not comfortable spending \$2,000.00 to find out what we already know.

A motion was made by Soren Siren and seconded by Darla Pickett to vote this at the February 28, 2017 Selectmen's Meeting.

Vote: 4/0

Recording Time: 01:05:02

13. Discussion regarding Cowette Street.

Paul York said that the issue was the amount of traffic on Cowette Street and the speed.

Christine Almand said that she didn't get the report because the doctor send Greg Dore home. He believes that with the storms, the traffic counts and the speed would be very low. He would like to postpone this until we can get some more realistic information.

Paul York said that Cowette and Gem get an unbelievable amount of traffic. He is not sure what we would do to change that. They had mentioned maybe making it a one-way street. He said he would be very cautious...everybody will want their street one-way. Where does it stop?

Darla Pickett said all that extra traffic has to go somewhere.

Soren Siren said it would be nice to look at the data, to know where the hot spots are and at what times. We have those places all over town. A little police presence can help these people out some.

Christine Almand said it is a good enforcement tool.

14. Treasurer's Warrants to be approved:

#62	\$	36,120.17 (Payroll #4)
#63	\$	39,184.43 (Payroll #5)
#64	\$	11,364.25 (State Payables)
#65	\$	36,222.42 (Payroll #6)
#66	\$	5,704.30 (State Payables)
#67	\$	1,121,966.47 (FY 2017 Accounts Payables)
Total	\$	1,250,562.04

A motion was made by Soren Siren and seconded by Darla Pickett to approve the Treasurer's Warrants as written.

Darla Pickett asked about the check to the school and how often that is paid.

That is a monthly check.

Vote: 4/0

15. Other Business

There was no Other Business.

16. Unfinished Business

- Review Policies and Ordinances
- Job Classes/Pay Scale
- Run of River/Economic Development
- Utilizing Outside Services
- Town Charter

17. Sign Documents

The Selectmen signed documents.

Adjourn Selectmen's Meeting.

Approved and signed on February 28, 2017.

A True Copy Attest: _____
Cara L. Mason, Executive Secretary