

**Town of Chelsea
Board of Selectmen Meeting Minutes
6:30PM, March 14, 2012
Chelsea Elementary School Cafeteria**

Regular Meeting:

Call to order:

Chairperson Linda Leotsakos called the meeting to order at 6:31 PM.

Selectboard members present included Linda Leotsakos, Michael Pushard, and Benjamin Smith. Town Manager Scott Tilton, Ron Smith, CPA, Attorney Mark Franco, and Maine Municipal Association's Rande Veilleux were also present along with about ten (10) residents and members of the public.

- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to take up Agenda Item "Legal Issues A." when Attorney Mark Franco arrives and then to continue with agenda as written. Vote was unanimous. Motion carried.

Consent Agenda:

- A. Approve Payroll Warrant # 40 in the amount of \$4,831.12.
- B. Approve Accounts Payable Warrant # 41 in the amount of \$21,614.52.
- C. Approve Payroll Warrant # 42 in the amount of \$5,991.28.
- D. Approve Accounts Payable Warrant # 43 in the amount of \$160,620.75.
- E. Approve Board of Selectmen Meeting Minutes of February 22, 2012.
- F. Approve Executive Session Minutes of February 22, 2012.
- G. Approve Executive Session Minutes of March 5, 2012.
- H. Approve Board of Assessors Meeting Minutes of March 5, 2012.

- A motion was made by Mike Pushard that was seconded by Ben Smith to approve Consent Agenda items A., B., C., D., E., F., G., and H. as written. Vote was unanimous. Motion carried.

Mark Franco, Esq. arrived at 6:35 PM.

Legal Issues:

A. Attorney Mark Franco represented Maine Municipal Association in the lawsuit filed by Flavia D. Kelley. After reviewing the information and taking into consideration the unresolved areas in the law pertaining to this lawsuit, it was felt to be in the Town of Chelsea's best interest to reach a settlement during the mitigation meeting. "The Town and MMA will pay to Kelley the sum of \$28,520. The payment will be allocated \$6,520 to salary, \$10,000 to compensation for damages, and \$12,000 to attorney's fees.

A vote is required from the Board of Selectmen to accept (or reject) the agreement and approve the use of Town of Chelsea's funds for payment of \$6,152 (Chelsea's share of the insurance deductible and copay) The Maine Municipal Association Municipal Risk Pool is responsible for the remaining balance . Ron Smith, CPA (RHR Smith & Company, Town of Chelsea Auditor) said that the funds could come from the salary account or legal fees account and suggested that the payment be given a specific code within the account.

- A motion was made by Linda Leotsakos that was seconded by Mike Pushard that the Board accept the agreement with Flavia D. Kelley and approve the use of Town of Chelsea funds to pay \$6,152 which will be paid from the Administration Salary portion of the 2012 Municipal Budget. Vote was unanimous. Motion carried.

Public Comment on Items not part of the Agenda: Shawn Ramage, Fire Chief, updated the Board of Selectmen on the repair of the Fire Rescue Truck. He received a call from a Ford Company Executive that was willing to work with the fire department. The company required it to go to Brunswick Ford for the repairs. Brunswick Ford found that the motor was damaged beyond just the head gasket repairs originally thought needed. Ford Motor Company will replace the motor with a brand new factory motor with a three (3) year, unlimited mileage warranty and reimburse towing charges and some previous

repair charges. The cost to complete this repair is closer to \$6000 than the \$4200 estimate from Integrity Auto Service in Saco, but it will be a new motor with a better warranty.

Scheduled items:

A. Old Business:

1. The Fire Department Service Billing Ordinance has been reviewed by legal counsel and final changes have been made to the ordinance. The next step would be to have a public hearing and either have a secret ballot vote or put the ordinance on as an article for the Chelsea Town Meeting.
- A motion was made by Mike Pushard that was seconded by Ben Smith to accept Scott Tilton's recommendation for The Fire Department Service Billing Ordinance as written.
 - A motion was made by Ben Smith that was seconded by Mike Pushard to amend the original motion to approve The Fire Department Service Billing Ordinance and to bring it as a warrant at the Chelsea Town Meeting. Vote was unanimous. Motion carried.
2. It was a recommendation from the Road Advisory Committee to not discontinue any town roads at this time. They felt that Chelsea residents have gone through many, and while things are improving, residents have come to expect a certain level of services for their taxes.
 3. The cover picture for the 2012 Annual Town Report and dedication page were discussed. All Select Board members agreed that the new Chelsea Elementary School should be on the cover. It was felt that the dedication page should include numerous individuals and groups that 'stepped up' when the Town of Chelsea needed help. The concern is that many key people would be missed.
- A motion was made by Ben Smith that was seconded by Mike Pushard that for the purposes of the Annual Town Report, the Board of Selectmen authorizes Scott Tilton to put a picture of the Chelsea Elementary School on the cover and for the Board of Selectmen Chairperson to work with Scott to finalize the dedication page. Vote was unanimous. Motion carried.
4. Several area towns have met with Bill (William) Dale regarding cable TV franchising issues with the intent of working together so as to lower costs. Scott Tilton supports the consortium and feels that they have more leverage when they meet with the cable TV provider to negotiate terms of the agreement. The total cost for Bill Dale to represent the consortium would be an hourly rate of \$175/hr, not to exceed \$5,000. This cost would be equally split among the area towns that wished to continue with the consortium and negotiations. There is a meeting with Mr. Edgecomb, from Time Warner Cable, to determine Time Warner's interest in negotiation and the areas to pursue in the negotiations; for example: should the town collect 'franchise fees', what is the level of 'under-serviced' areas in town. Ben Smith was concerned that, if a specific density minimum requirement was stated in the agreement, it would be cost prohibitive for residents. Rick Danforth stated that in the past the Board of Selectmen chose not to collect franchise fees because these fees are directly charged to cable customers in Chelsea.
- A motion was made by Ben Smith that was seconded by Mike Pushard for Scott Tilton of expend up to \$800 to enter into agreement with Bill (William) Dale to pursue an agreement with Time Warner Cable TV provider. Vote was unanimous. Motion carried.

5. Scott Tilton hired Lisa Gilliam and appointed her to the position of Town Clerk. Scott asked that the Board of Selectmen approve the appointment of Lisa Gilliam to the position of Town Clerk.

- A motion was made by Ben Smith that was seconded by Mike Pushard that the Board of Selectmen approves the appointment of Lisa Gilliam to the position of Town Clerk in the Chelsea Town Office. Vote was unanimous. Motion carried.

B. New Business:

1. Four (4) bids were received for the 2012 Town of Chelsea Annual Report:

Vendor	Printing	w/o graphics & pictures	color cover photo	Mailing
Quality Copy	2175.00	2148.00	2407.00	150 plus 445 postage
Albison's Printing	2234.25	2199.25	2453.25	125 plus 445 postage
Lincoln County	1795.00 (80 pages)	1795.00	1980.00	280 plus 445 postage
Xpress Copy	2325.70	2325.00	2520.00	1315.00

There is \$2000 in the budget for the annual town report.

- A motion was made by Mike Pushard that was seconded by Ben Smith that the Board of Selectmen spend \$1795.00 with no color photos; put copies around town for people to pick up, and make it available on the Town of Chelsea website.
- Ben Smith offered an amendment to print 700 copies and make this motion contingent upon Scott Tilton contacting the Capital Area Technical Center printing program to explore timing and cost to print the annual town report there. Mike Pushard seconded the amendment. Vote was unanimous. Motion carried.

2. Scott Tilton presented a 2012-2013 Chelsea Payroll and Benefits Summary to the Board of Selectmen for review. He would like to increase the second part-time position to a 34.50-hour full time position in the town office. He added the Assessors Agent that is working 15 hours a week to the summary. He would like to add a Roads Foreman to the payroll for 10 hours a week at \$43.00/hr. with the per hour cost including use of equipment needed.

Legal Issues:

B. Shawn Ramage brought a 'Cooperative Agreement between the MaineDOT and the Town of Chelsea regarding Purchasing Fuel at MaineDOT Fuel Depots' to the Board of Selectmen for review and possible action. Six (6) out of the seven (7) vehicles are diesel. The MaineDOT fuel depots are available 24/7. Currently the vehicles are getting diesel at the local businesses during business hours and are paying 'at the pump' prices. There is a significant savings using MaineDOT depots.

- A motion was made by Ben Smith that was seconded by Mike Pushard to enter into agreement with MaineDOT to purchase diesel fuel at their fuel depots. Vote was unanimous. Motion carried.

Legal Issues: continued,

C. The 2012 Special Town Meeting Warrant for the March 27, 2012 ballot election and referendum vote was reviewed for approval and signatures. This is to elect six (6) Charter Commission representatives and vote on the "Town of Chelsea Ordinance Prohibiting the Sale and Use of Fireworks and Consumer Fireworks".

- A motion was made by Ben Smith that was seconded by Mike Pushard to approve the 2012 Special Town Meeting Warrant Town Referendum Vote Town Election to be held on March 27, 2012. Vote was unanimous. Motion carried.

D. The following property tax abatement applications were discussed:

1. David & Kimberly Ellis, Account #126, Map 16 Lot 020.

An abatement of \$27,000 was requested. The property was visited and comparables were reviewed.

- A motion was made by Mike Pushard that was seconded by Ben Smith for the Board of Assessors to deny the abatement based on the information discussed and the lack of additional documents to support their application. Vote was unanimous. Motion carried.

D. The following property tax abatement applications were discussed: continued,

2. Andrew Swan, Account #001, Map 11 Lot 020.

An abatement of an unstated amount was requested. No supporting documentation was provided. The property was given an abatement of \$10,000 valuation last year on the same property.

- A motion was made by Ben Smith that was seconded by Mike Pushard for the Board of Assessors to deny the abatement based on the information discussed and the lack of additional documents to support their application. Vote was unanimous. Motion carried.

3. David & Mary Hutchins, Account #515, Map 08 Lot 044CO.

An abatement was requested based on an incorrect recording of acreage. The land is recorded in the computer as 3.8 acres. Mr. & Mrs. Hutchins believe they have 1.8 acres. Aerial Survey and Photo shows the property to be 0.88 acres. It is the responsibility of the landowner to provide a survey to resolve any differences. The assessment does need to be changed to the value of a minimum sized developed lot of \$23,000.

- A motion was made by Ben Smith that was seconded by Mike Pushard for the Board of Assessors to adopt the changes as discussed. Vote was unanimous. Motion carried.

4. Reginald Chabot, Account #865, Map 02 Lot 014.

An abatement was requested based on the buildings assessed being in poor condition. The property was visited. The Assessor's Agent assessed the properties as follows: The house has no value, mobile home in poor condition value of \$2,250, garage in poor condition value of \$750, and the assessment for the lot will be remain the value of a minimum sized developed lot of \$23,000.

- A motion was made by Ben Smith that was seconded by Mike Pushard for the Board of Assessors to accept the abatement application for \$32,000 in valuation as discussed: tax year 2011- land \$23,000 and buildings \$3,000 and tax year 2012- land \$23,000 and buildings \$3,000. Vote was unanimous. Motion carried.

5. Supplemental Tax Certificate and Warrant number S4 shows the revaluation of the Advent Christian Church parsonage and ELIM Christian Fellowship (RiverRock Christian Fellowship). Each was incorrectly exempted.

- A motion was made by Ben Smith that was seconded by Mike Pushard for the Board of Assessors to accept and issue the Supplemental Tax Certificate and Warrant S4 for Advent Christian Church parsonage value of \$66,800 and ELIM Christian Fellowship value of \$433,668. Vote was unanimous. Motion carried.

E. Appointment of David Sirabella to the C.D.B.G. Advisory Committee.

- A motion was made by Linda Leotsakos that was seconded by Ben Smith to appoint David Sirabella to the C.D.B.G. Advisory Committee. Vote was unanimous. Motion carried.

F. Mortgage Deed Discharge for Ernestine Taylor was discussed.

- A motion was made by Ben Smith that was seconded by Mike Pushard to accept the Discharge of Mortgage for Orrison Taylor and Ernestine Taylor. Vote was unanimous. Motion carried.

Written Communication:

- A. A letter dated February 14, 2012 from Time Warner Cable was received. It is a standard letter regarding agreements with programmers and broadcasters.

Verbal Communication:

- A. Town Manager Report: March 14, 2012

Legislation is pending that would shift the cost burden of funding from the state to each town for TANF. At this time, it would affect four (4) families in town and cost the Town of Chelsea approximately \$36, 480.

FD Rescue Update

Paul Soucy Resignation was accepted from the Road Advisory Committee.

Kennebec County Jail Trustees will be available either April 1, 8 or 15 to sweep sand at the Town Office and the Chelsea Elementary School. John Merry, Facilities Director for RSU #12 has been contacted.

Workers Comp Audit completed

Electricity Supplier – Maine power option .0582. Standard option .0849. Savings of 422. Up to five years.

Payment at the Town Office by credit cards should be available by May 1, 2012.

Received RSU 12 Annual Report should be on website shortly.

Composter Order forms are available in the Town Office and on the Town of Chelsea, Maine website; <http://chelseamaine.org/latest-news/>

B. Department Reports. No additional.

C. School Department Report.

Finance meetings are ongoing. Barbara Skehan encourages town residents to attend these meetings. The schedule is on the RSU #12 website. Meetings begin at 5:30 PM.

D. Board of Selectmen / Assessors Reports and Comments.

Linda Leotsakos reminded the Board of Selectmen that the week of March 28th Mike Pushard would be unavailable and Scott Tilton will be on vacation, and recommended that the regular B.O.S. Meeting be cancelled, and the next B.O.S. Meeting be held on the regularly scheduled meeting date (April 11th).

- A motion was made by Ben Smith that was seconded by Mike Pushard to cancel the March 28, 2012 Board of Selectmen Meeting for reasons discussed. Vote was unanimous. Motion carried.

There is a Public Hearing on March 28, 2012 at 6:30 PM at the Chelsea Town Office to review a junkyard permit for Clark East Side.

A Kennebec County worksheet was received for reporting the town's tax increases. Linda Leotsakos stated that she had spoken at length with the County Administrator to explain that the growth factor for the Town of Chelsea would be falsely inflated because of the valuation decreases from abatements. The growth factor for Chelsea decreased. A letter explaining the numbers needed for the Town's valuation was attached to the worksheet and returned to the County Administrator.

Board of Assessors met with John E. O'Donnell & Associates, KRT Appraisal, and William E. Van Tuinen to review Revaluation Proposals on Monday, March 12, 2012. The Chair scheduled an Assessors' Meeting for 6:30PM, Wednesday, April 4th when the selection process will continue. Bids for the revaluation of the town were lower than they were five (5) years ago and the costs will be solidified to take to the Budget Committee for their input.

The computer used by the Assessor's Agent 'died'. Options will be discussed.

Executive Session. None.

Next Board of Selectmen Meeting is April 11, 2012 at 6:30 PM at Chelsea Elementary School Cafeteria.

Adjournment:

- A motion to adjourn was made by Ben Smith that was seconded by Mike Pushard. Vote was unanimous.

unanimous. Linda Leotsakos declared the meeting adjourned at 8:55 PM.

Approved by the Chelsea Board of Selectmen on April 11, 2012.

Linda Leotsakos – Chair

Michael Pushard

Benjamin Smith