

**Town of Chelsea
Board of Selectmen Meeting Minutes
April 25, 2012**

Regular Meeting

I. Call to Order

Chairperson Linda Leotsakos called the meeting to order at 6:30 PM.

Selectboard members present included Linda Leotsakos, Michael Pushard, and Benjamin Smith. Town Manager Scott Tilton was present along with about 10 residents and members of the public.

Linda Leotsakos briefly discussed some changes that were being made to the minutes process. She also acknowledged and thanked on behalf of the Select Board Barbara Skehan's past work taking the minutes for the Board.

Linda Leotsakos explained that she would like to have the Select Board change the agenda so that when Jane Oberton of the Old Hallowell Day Committee arrives the item upon which she would be speaking could be brought forward for Select Board action.

II. Consent Agenda

- A. Approve Payroll Warrant #49 in the amount of \$6,987.02.
- B. Approve Accounts Payable Warrant #48 in the amount of \$37,866.55.
- C. Approve Board of Selectmen Public Hearing Minutes of March 28, 2012.
- D. Approve Board of Selectmen Meeting Minutes of April 11, 2012.
- E. Approve Board of Selectman Budget Meeting of April 19, 2012.

Ben Smith recognized that Mike Pushard was not at the Public Hearing; therefore he separated the Consent Agenda into two separate motions.

- A motion was made by Ben Smith to accept the Consent Agenda Items A., B., D. and E. Mike Pushard seconded the motion. There were not comments, questions or further discussion. The vote was unanimous.
- Ben Smith moved to accept the Consent Agenda Item C. Linda Leotsakos seconded the motion. There weren't any comments, questions or further discussion. Ben and Linda voted in the affirmative. Mike Pushard abstained, as he was not present at this hearing.

III. Public Comments on Items not part of the Agenda

Kelly McLaughlin asked about the posting delays for the minutes and agendas. These were too late and the Board needs to give public notice so people know what will be discussed. The Board discussed the timing of the posting and the impact of earlier postings. The later the posting the more inclusive and more detailed it can be. The Town Manager is willing to work on this but also recognized the office is closed on Mondays so Tuesday may have to be the best he can do.

Linda Leotsakos explained the purpose of the “Public Comment” section on the agenda. The Board has opted to do this in order to receive comments: comments versus questions.

Kelly also stated that her comments during the last meeting were not in the minutes and wondered why. The Board stated she could restate her concerns. She had asked at the last meeting for an update on the audit findings, Windsor Rd. and the Monroe court case.

Ed Tobias reminded the Board that comments were to be limited to 2 minutes.

IV. Scheduled Items

A. Old Business

1. Discuss School Bus Transportation Services:

The Board and Scott Tilton, Town Manager discussed the number of students riding buses. There are just over 300 bus riders per week. No action was taken as more information is still being sought by the Town.

2. Review the Road Foreman Job Description and the need:

Scott Tilton discussed the position and the need as he sees it, which he presented in his original budget proposal. There is a draft job description if the Board wants to create the position. There is currently a part-time laborer position. The Board discussed the benefit of a position versus contracting for the smaller jobs but recognized the budget issues being faced for this year. The Board suggested revisiting this with next year’s budget discussions.

The agenda was amended as was decided at the beginning of meeting so as to discuss the Chelsea Fire Department providing Fire Protection Services during the Old Halloween Day’s Fireworks being launched from Butternut Park.

V. Legal Items:

A. Review the use of Butternut Park by Old Halloween Day Committee for July and December fireworks displays. Jane Oberton attended the meeting to ask the Board of Selectmen for permission to set off the Old Halloween Day July and December fireworks display at Butternut Park. The following was agreed to: the Old Halloween Day Committee will pay Chelsea \$1000 total for Fire Protection at both displays, Old Halloween Day Committee will pay directly to the Kennebec Sheriff’s Dept. \$225 per event for patrols at each event, Old Halloween Day will maintain liability insurance for the events and name the Town of Chelsea as an insured party, Old Halloween Day Committee will arrange with the Kennebec Sheriff for road closures and posting before, during and after the firework display.

- Benjamin Smith made a motion that was seconded by Mike Pushard to enter into an agreement with the Old Halloween Day Committee for \$1000 subject to liability insurance being obtained naming Chelsea as additionally insured. The vote was unanimous.

IV. Scheduled Items

A. Old Business

3. Credit Card Acceptance Policy Approval:

The Manager provided the Select Board with a policy he recommended be approved so that the Chelsea could begin accepting credit cards for payment of Property Taxes. Linda Leotsakos identified a typo in the policy.

- Linda then moved to approve the Credit Card Acceptance Policy with the correction. Ben Smith seconded the motion.

During the Board's discussion, Scott Tilton reminded them this was limited to property tax payments and stated staff has been trained.

One Public Comment was asked about who pays the fees. Scott explained the customer pays the fees. There was no further discussion.

- The vote was unanimous.

4. Approve use of the Fire Vehicle Reserve Account funds for additional repairs to Rescue Vehicle:

This is on the agenda because there were additional costs above the originally approved \$4,083.73 to repair the rescue vehicle. The Board discussed Shawn Ramage's recommendation, the costs and the warranty.

- Ben Smith moved the Board approve the additional appropriation of \$2,747.53 from the Fire Vehicle Reserve Account. Mike Pushard seconded the motion.

Public Comments: Joe Mills asked if the town was still considering small claims litigation. Ben said they should consider the pros and cons of litigation.

- The vote was Unanimous.

5. Review a Draft of the Board of Selectmen Goals

The Board agreed to continue reviewing the goals and to discuss them again at the end of May. No action needed to be taken.

6. Review 2nd draft of the proposed Motor Vehicle Repair Facility Ordinance

The Board discussed the Planning Board suggestions and recommendations. Mike Pushard expressed concerns about the impact this type of ordinance could have on businesses in town. He was concerned about specific numbers being connected to the number of repair bays at a facility. The Board agreed that there are “problematic” properties and this impacts businesses as well as property values in town. Linda Leotsakos recommended Scott Tilton discuss with the Code Enforcement Officer what can be done. Mike emphasized businesses need to know what is being discussed. Ben Smith agreed that no action should be taken tonight and the Board should revisit this after Scott reviews the ordinance with the Code Enforcement Officer.

Public Comments: Kelly McLaughlin raised some concerns with this ordinance specifically regarding registered versus unregistered vehicles.

7. Review the 2nd draft of the Ordinance Regulating the Storage and Disposal of Garbage and Junk

Board members discussed their concerns and how this ordinance addresses cleaning up some of the more obvious issues. Scott raised a concern as to whether this ordinance would pass a town vote. The Board agreed this is a first reading that needs to be run by the Town Attorney before it goes before the town in June. No other action was taken. Linda Leotsakos requested that the Town Manager present to the Board of Selectmen at the next meeting a priority list of proposed ordinances so as there would not be too many on the warrant for the Town to consider in one year.

8. Final Select Board review of the 2012-13 Budget

The Board agreed their last budget discussion and the recommended cuts and approved spending was ready to be reviewed with the Budget Review Committee. These are reflected in the Board Budget Meeting Minutes, which were included in the agenda packet. There increased costs as well as cuts.

- Mike Pushard moved the Board accept the recommendations and to send them to the Budget Review Committee. Ben Smith seconded the motion.

Public Comment: Cookie Kelley asked about the mill rate. Scott Tilton anticipates an increase because of increase in school costs, county costs and municipal costs.

- The vote was unanimous.

B. New Business

1. Collecting “Uncollectable” Ambulance Fees

The Board discussed the amount of uncollected Gardiner Ambulance fees, why they happen and what can be done. Scott Tilton suggested recontacting the person with the outstanding bills and requesting payment.

- Linda Leotsakos moved the Board authorize Scott Tilton to make every reasonable effort to collect the outstanding uncollectables. Mike Pushard seconded the motion. The vote was unanimous.

2. E911 House Numbering requirements

The Board discussed this item and asked Fire Chief Shawn Ramage about the current process and possible options. No formal action was taken. The Board requested that the Town Manager and Fire Chief work together to increase compliance with the Town E911 Ordinance.

Public Comment: Cookie Kelley asked whether the requirement that houses display their house number was a town ordinance or state law.

V. Legal Issues

A. Property Tax Abatements and Supplementals

The Board discussed the details of the abatement request.

- Ben Smith moved to approve the abatement request for Sugar Maple Terrace(Map 05 Lot 085)(Account 1012) as requested on the application
 - 2009 – Abate 3161 in value and \$49.00 in taxes
 - 2010 – Abate 3174 in value and \$47.61 in taxes
 - 2011 – Abate 3341 in value and \$54.46 in taxesMike Pushard seconded the motion. Vote was unanimous.

Supplemental taxes associated with 4 incorrect veteran exemptions were also discussed.

- Ben Smith moved the Board approve supplemental tax warrant for fiscal year 2012 as listed:
 - Phillip Bunnell – Map 11 Lot 076 (Acct 811) – 6000 in value and \$90.00 in taxes for 2011.
 - Archie Dearborn – Map 09 Lot 196 (Acct 858) – 6000 in value and \$97.80 in taxes for 2012.
 - Shirley Gauthier – Map 08 Lot 252 (Acct 757) – 6000 in value and \$90.00 in taxes for 2011 and 6000 in value and \$97.80 in taxes for 2012.
 - April Sheets – Map 13 Lot 30 (Acct 178) – 7000 in value and \$114.10 in taxes for 2012.Mike Pushard seconded the motion. The vote was unanimous.

B. Time Warner Cable Resolution

Scott recommended the Board authorize the Town Manager signing the resolution. Ben Smith said he would have to abstain.

- Mike Pushard moved to authorize the Town Manager to sign Time Warner resolution. Linda Leotsakos seconded the motion. Mike and Linda voted in the affirmative. Ben abstained because of his work with the Public Utilities Commission.

C. Quit Claim Deed - Map 6 Lot 60 and Map 14 Lot 45

The Board discussed the Quit claims deeds. There are tax liens that were not discharged at the Registry of Deeds in a timely manner. The quitclaim deeds release the properties back to the owners and clear up title and credit issues.

- Ben Smith moved to approve the Quit Claim Deed for Map 6 Lot 60. Mike Pushard seconded the motion. The vote was unanimous.
- Mike Pushard moved to approve the Quit Claim Deed for Map 14 Lot 45. Ben Smith seconded the motion. The vote was unanimous.

VI. Written Communications:

- A. Letter from Time Warner Cable dated April 3, 2012
- B. Letter from Time Warner Cable dated April 18, 2012

Linda asked if both of these were the usual letter. There was no discussion and no action needed.

VII. Verbal Communications:

- A. Town Manager Report

Scott reported on several items listed in his written report of April 25, 2012, which was handed out at the meeting. Several included recommendation for the lowest bidder on specific contracts such as grading, sweeping and mowing. He also asked for permission to contact a contractor for striping and road marking in conformance with the procurement ordinance.

Public Comment: Kelly McLaughlin asked about the ASPIRE worker in the town office and the confidential nature of the materials in the office. She wondered if there had been any background check performed and the town's liability issues. She also asked about the auditing findings for 2011/12 and when the results might be expected. Scott Tilton said in September or October. She also wanted to know whether the road edging was for the selected areas discussed at the last meeting.

B. Department Reports – no reports

C. School Department – no report

D. Board of Selectmen Comments and Reports

Linda Leotsakos reminded the Board they need to review the building permits as they get ready for this year's tax commitments.

There were no other reports.

VIII. Executive Session

A. In accordance with Title 1 MRSA Section 405(6)(A) to discuss the Town

Manager's Performance Evaluation

Linda Leotsakos explained that the Board was going to discuss the item and did not anticipate any action being taken. There only remaining action would then be adjournment. Ben moved the Board go into Executive Session in accordance with Title 1 MRSA Section 405(6)(A) to discuss the Town Manager's Performance Evaluation. Mike Pushard seconded the motion. The vote was unanimous. In at 8:46PM.

A motion was made by Benjamin Smith and seconded by Michael Pushard to come out of Executive Session. Out at 9:35PM

IX. Adjournment

A motion was made by Benjamin Smith and seconded by Michael Pushard to adjourn. Linda Leotsakos declared the meeting adjourned at 9:36PM

Approved by a majority of the Board of Selectmen on May 9, 2012.

Linda Leotsakos

Michael Pushard

Benjamin Smith