

**Town of Chelsea
Board of Selectmen Minutes
April 27, 2016
6:30PM, Chelsea Town Office**

I. Call regular meeting to order:

The meeting was called to order at 6:47PM by Chairman Danforth.

Selectmen present: Richard Danforth and Benjamin Smith. Michael Pushard was absent and excused.

Others present: Scott Tilton, John Ferguson, Jason Ellis, Elisa Ellis and Leonetta Burns

The Pledge of Allegiance was recited.

II. Consent Agenda:

- A. Approval of Payroll Warrant # 45 in the amount of \$ 5,582.93
- B. Approval of Accounts Payable Warrant # 46 in the amount of \$ 35,234.17
- C. Approval of Board of Selectmen April 13, 2016 Meeting Minutes.

A motion was made by Mr. Smith that was seconded by Mr. Danforth to approve Consent Agenda Items A, B and C as presented. The vote was unanimous.

III. Public Comment: NONE

IV. Scheduled Items:

A. New Business:

1. CEO Enforcement Process

There was a brief discussion regarding the process of bringing Code Enforcement actions to the Selectmen to review prior to the action being taken by the CEO and the Manager. The Selectmen expressed concern about getting involved too early in the enforcement process and the impact their involvement would have in the appearance of the Selectmen's neutrality when they would later be asked to authorize the CEO to proceed with final court action. The Selectmen requested that the CEO and the Town Manager work together to develop cases more fully before bringing prosecution requests to them. No formal action was taken.

2. CEO Enforcement of NFPA 101

There was a brief discussion about authorizing the CEO to enforce NFPA 101 Regulations. The CEO explained that during his inspections of new construction he could also be inspecting for compliance with NFPA 101. The Selectmen would need to authorize him to enforce the NFPA 101 currently used by the State of Maine. The Selectmen requested that the CEO and the Manager work together to develop the required wording and determine the steps required authorizing the CEO to enforce of NFPA 101.

No formal action was taken.

V. Legal:

2. Sale of Tax Acquired Property

a. Dorothy M. Ferguson - Map 16 Lot 04

The Selectmen reviewed the proper way to return the property back to Dorothy Ferguson's Estate. It was determined that based on the information the property would need to be sold back to the Estate instead of being sold to one of the individual heirs.

A motion was made by Mr. Smith that was seconded by Mr. Danforth to sell the tax acquired property at Map 16 Lot 04 belonging to the Estate of Dorothy May Ferguson back to the estate by means of a Quit Claim Deed upon satisfactory payment of the 2014-14, 2014-15 and 2015-16 taxes and interest. The vote was unanimous.

c. Gilbert and Nancy Morang - Map 13 Lot 12

The Board reviewed the status of this property with the Town Manager and heard from abutters that were interested in purchasing this property from the Town. The Selectmen instructed the Town Manager to follow up with the current occupant of the building who is known to be the son of the prior owners who have passed away. Based on the information obtained at the meeting with the occupants, the Board could be able to decide how to dispose of the property at the May 11, 2016 meeting. No formal action was taken.

IV. Scheduled Items:

B. Old Business:

2. Cemetery Sexton Job Description

The Town Manager explained that he had found a resident who would be perfect for the Cemetery Sexton position. However, prior to recommending this person for appointment by the Selectmen, a job description should be approved. The Manager presented the Selectmen with a job description the Selectmen had reviewed at a previous meeting.

A motion was made by Mr. Smith that was seconded by Mr. Smith to approve the Cemetery Sexton Job Description as written. The vote was unanimous.

3. Cemetery Sexton Appointment

The Town Manager recommended that the Selectmen appoint Leonetta Burns to the unpaid position of Cemetery Sexton.

A motion was made by Mr. Smith that was seconded by Mr. Danforth to appoint Leonetta Burns Cemetery Sexton to the term expiring June 30, 2016. The vote was unanimous.

V. Legal:

5. Douglas Cemetery Deed

The Town Manager presented the Selectmen with the deed the Cemetery Committee is recommending the voters at Town Meeting be asked to accept so that Chelsea can acquire ownership of the cemetery. The Selectmen agreed to consider placing the acceptance of the deed and the cemetery on the warrant for the June 16, 2016 Town Meeting Warrant. No formal action was taken.

IV. Scheduled Items:

A. New Business:

5. MMA Legal Services User Authorization

The Manager was recently made aware that certain restrictions on who could use Maine Municipal Association Legal Services were in effect. The restrictions only authorize the Selectmen and the Town Manager to call and get legal advice and could have been in place since 2011. The Selectmen requested the Town Manager look into the restriction and report back to them. No formal action was taken.

3. MMA Executive Committee

The Manager presented the Selectmen with the request from Maine Municipal Association for nominations to the Executive Committee. The Selectmen were interested but decided that individually they did not have time to make a commitment to serve. No formal action was taken.

4. Review proposed Shoreland Zoning Ordinance and Map

The Selectmen were provided with a copy of the proposed Shoreland Zoning Ordinance and Map. A public hearing by the Planning Board is scheduled for May 2, 2016 at 6:30PM. The Selectmen will make every effort to attend. No formal action was taken.

IV. Scheduled Items:

B. Old Business:

1. Road Treatment Coverage

The Selectmen reviewed the need for additional coverage to protect Chelsea from claims of pollution arising from winter road salt applications. There is still a section of the coverage that is unclear. The Town Manager was instructed to contact MMA Risk Pool and get clarification. No formal action was taken at this time.

V. Legal:

1. Sylvester Ave Noise Complaint

The Selectmen discussed a noise complaint received by the ACO and a health complaint received by the Health Officer having to do with donkeys being kept by Sylvester Avenue residents. The Selectmen are concerned but expressed frustration in Chelsea's lack of regulation to control certain activities that could be regulated. The situation will continue to be monitored. No formal action was taken at this time.

2. Sale of Tax Acquired Property

b. Albert Belanger - Map 5 Lot 16

The Board reviewed the status of this property with the Town Manager. The Selectmen instructed the Town Manager to follow up personally with the owner of the property. Based on the information obtained from the follow up, the Board could be able to decide how best to dispose of the property at the May 11, 2016 meeting. No formal action was taken.

3. Tax Abatements

a. 2013-14 Connie Morse – Map 13 Lot 138MH

The Selectmen reviewed the request to abate the taxes on this property but had further questions for the Assessors Agent. A Board of Assessors Meeting was tentatively scheduled for May 11, 2016. No formal action was taken.

b. 2014-15 Connie Morse – Map 13 Lot 138MH

The Selectmen reviewed the request to abate the taxes on this property but had further questions for the Assessors Agent. A Board of Assessors Meeting was tentatively scheduled for May 11, 2016. No formal action was taken.

c. 2015-16 Connie Morse – Map 13 Lot 138MH

The Selectmen reviewed the request to abate the taxes on this property but had further questions for the Assessors Agent. A Board of Assessors Meeting was tentatively scheduled for May 11, 2016. No formal action was taken.

4. Counter Signing the RSU #12 Budget Validation Warrant

The Selectmen reviewed the RSU #12 Warrant for the June 12, 2016 Budget Validation Referendum.

A motion was made by Mr. Smith that was seconded by Mr. Danforth to countersign the warrant. The vote was unanimous

VI. Written Communication:

1. The Selectmen reviewed a General Assistance Audit letter.
2. The Selectmen reviewed a letter from TWC dated April 20, 2016
3. The Selectmen reviewed the Small Community Forum Minutes of April 11, 2016

VII. Verbal Communication:

Town Manager – NONE

RSU # 12 Report – NONE

Committees and Boards – NONE

Board of Selectmen – NONE

VIII. Executive Session Action:

IX. Adjournment:

A motion was made by Mr. Smith and seconded by Mr. Danforth to adjourn the meeting. Mr. Danforth declared the meeting adjourned at 8:10PM.

Approved by the Board of Selectmen on May 11, 2016.

Richard Danforth

Benjamin Smith

_____ Absent _____
Michael Pushard