

**Town of Chelsea
Board of Selectmen
Executive Session Minutes
September 12, 2012**

Regular Meeting:

Call to order:

Chairperson Ben Smith called the meeting to order at 5:31 PM.

Board of Selectmen members present included Benjamin Smith, Linda Leotsakos, and Michael Pushard. Scott Tilton, Town Manager and Steve Langsdorf, Town Attorney were also present.

Executive Session.

- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to go into executive session to consult with the Town Attorney pursuant to 1
- MRSA Subsection 405(6)(E). Vote was unanimous. In at 5:34 PM.

- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to come out of executive session. Vote was unanimous. Out at 6:32 PM. No
- action was taken by the Board of Selectmen.

**Town of Chelsea
Cable TV Franchising Ordinance
Public Hearing Minutes
September 12, 2012**

Call to order:

Chairperson Ben Smith called the public hearing to order at 6:34 PM.

Board of Selectmen members present included Benjamin Smith, Linda Leotsakos, and Michael Pushard. Scott Tilton, Town Manager, and six (6) residents were also present.

Scott Tilton went over highlights of the Town of Chelsea Cable TV Franchising Ordinance. He explained the need for this ordinance and how it relates to the future granting of the Cable TV Franchise in town.

The ordinance does not affect Satellite TV service in Chelsea. It may be possible to negotiate a base rate and/or a minimum number of channels for customers in Chelsea along with the length of the contract as part of the negotiations for the contract. The ordinance does not specify a company.

The Public Hearing portion of the meeting was adjourned at 6:45 PM.

No action was taken at this time.

**Board of Selectmen Meeting Minutes
September 12, 2012**

Regular Meeting: Re-opened.

Call to order:

Chairperson Ben Smith called the meeting to order at 6:45 PM.

Board of Selectmen members present included Linda Leotsakos, Michael Pushard, and Benjamin Smith. Scott Tilton, Town Manager, and six (6) residents were also present.

Consent Agenda:

- A. Approve Payroll Warrant # 010 for \$ 6,521.44.
- B. Approve Accounts Payable Warrant # 011 for \$ 3,777.45.
- C. Approve Accounts Payable Warrant # 012 for \$169,066.36.
- D. Approve Payroll Warrant # 013 for \$ 11,528.44.
- E. Approve Board of Selectmen Meeting Minutes of August 22, 2012.

- A motion was made by Mike Pushard that was seconded by Linda Leotsakos
- to approve Consent Agenda items A., B., C., and E. as read. Vote was
- unanimous.

- A motion was made by Linda Leotsakos that was seconded by Mike Pushard
- to approve Consent Agenda item D. as read. Vote was Linda Leotsakos and
- Mike Pushard in the affirmative and Ben Smith abstained. Motion carried

Public Comment on Items not part of the Agenda:

There was a request for information about the subdivision that is rumored to be built at Togus. It was not a Planning Board agenda item this past week, therefore no information is available.

Scheduled items:

A. New Business:

1. The MMA Convention is at the Augusta Civic Center October 3 & 4, 2012. It would be worthwhile for the office staff and Scott Tilton to attend the two day convention, but it is a busy time in the office because it is close to the due date of property taxes. It was recommended that Scott Tilton contact Shawn Ramage to see if he could attend the sessions related to the fire department. Linda Leotsakos will attend both days. Ben Smith will attend at least (1) one session. Mike Pushard will be able to attend sessions as decided and the town will be billed. Town Office staff will split attendance at the convention and keep the office open.

Scheduled items:

A. New Business: continued,

2. Scott Tilton will attend the Annual Business Meeting on Wednesday, October 3 at 1:45 PM. A voting delegate and an alternate voting delegate needs to be designated by the Board of Selectmen for that meeting.
- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to
 - appoint Scott Tilton as the official Voting Delegate to the MMA Annual
 - Business Meeting on October 3, 2012. Vote was unanimous. Motion carries.

 - A motion was made by Ben Smith that was seconded by Mike Pushard to
 - nominate Linda Leotsakos as alternate voting delegate to the MMA Annual
 - Business Meeting on October 3, 2012. Vote was Ben Smith and Mike Pushard in
 - the affirmative and Linda Leotsakos abstained. Motion carries.

B. Old Business:

1. The Budget Committee Bylaws Town of Chelsea was reviewed. Mike Pushard agrees with most of the content of the Bylaws, but feels five (5) members are not enough. He also is concerned about any conflicts that may arise by the Board of Selectmen appointing the Budget Committee members. Ben Smith is still questioning the number of members needed on the committee. The Charter Commission has been discussing the number of members and whether some members should be nominated and some members be appointed. There is an immediate need for this fiscal year's budget to get members on board. Linda Leotsakos is concerned that by having five (5) members and two (2) alternate members from the pool of interested citizens, it would be difficult to fill the positions. It is difficult to fill the open positions on the boards now. The alternate members would be required to attend all the Budget Committee meetings.
- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to
 - approve the Town of Chelsea Budget Committee Bylaws with changes discussed
 - and [amended motion] The Selectmen shall appoint two (2) alternate members
 - who shall attend all the Budget Committee Meetings and vote if needed. Vote
 - was Ben Smith and Linda Leotsakos in the affirmative and Mike Pushard
 - opposed. Motion carries.
2. Results of the 2012 Winter Sand Bids were reviewed. Scott Tilton recommends awarding the contract to McGee Construction at a cost per yard for 2012-2013 of \$8.48 and cost per yard for extra as needed of \$10.00. The budgeted amount is for \$9.00 per yard.

Scheduled items:

B. Old Business: continued,

The Board of Selectmen is supportive of Scott Tilton's recommendation to award the contract to McGee Construction. No action by the Board of Selectmen is needed.

3. A public meeting was held Thursday, September 6, 2012 at 6:00 pm with the abutters to Norway Drive to discuss improvements to the road and ditches, and replacement of some culverts. Neighbors were receptive to the plans presented. The R.F.P. will be in the Kennebec Journal. Interested contractors will pick up the plans and specs at the engineer's office for \$25.00 (cost to contractor). Scott Tilton is planning to have the work completed by the end of November 2012. The plans may be reviewed at the Town Office [when open] during normal business hours. The project has been estimated by the engineer at \$62,171.

The Board of Selectmen is supportive of Scott Tilton's recommendation to go forward with the project. No action by the Board of Selectmen is needed.

A list of work on culverts was discussed. Bids for the work were requested and received by seven (7) companies. Scott Tilton provided the list for the Board of Selectmen to review. Two (2) of the culverts listed on Norway Drive are part of the previous project and will be removed from this list. As Road Commissioner, Scott Tilton can proceed. No action by the Board of Selectmen is needed.

4. Some abatements have been received. John E O'Donnell & Associates has begun the revaluation process. If property owners/residents do not let the company representatives in for an interior inspection, assumptions will be made and the revaluation will be based on best practices. The property owner will not be prohibited from applying for an abatement after the revaluation, but the burden of abatement will be on the property owner.

A card will be left when no one is home and someone will come back to the property at a later date.

A Supplemental Tax Warrant is needed for a property that was to be corrected from 39 acres to 80 acres. It was not updated and therefore requires an adjustment to the tax commitment. This will be acted on at the next Board of Selectmen Meeting. The landowners will be contacted to review the information and correct the situation.

Legal Issues:

- A. A letter was received from FairPoint Communications regarding placement of a pole for a new residence on Oak Ridge Drive within the Town's right-of-way. The pole has already been placed. There was concern that the Board of Selectmen were granting the permit after-the-fact. Scott Tilton was asked to send a letter to Stephen J Polyot – Manager – Right of Way at FairPoint Communications stating their discontent.
- A motion was made by Mike Pushard that was seconded by Linda Leotsakos to
 - approve the permit for Northern New England Telephone Operations LLC and
 - Central Maine Power Company to place a pole on Oak Ridge Drive and
 - [amended motion] to instruct Scott Tilton to send a letter to FairPoint. Vote
 - was Mike Pushard and Linda Leotsakos in the affirmative and Ben Smith
 - abstained. Motion carries.
- B. An update and clarification concerning the successful prosecution of the barking dogs case was presented by Town Manager. Legal expenses exceeded what was expected to prosecute this case at \$2100, but prior to the court appearance, the Board of Selectmen were in agreement that Chelsea would take the necessary legal action.
- C. Scott Tilton went over highlights of the Town of Chelsea Cable TV Franchising Ordinance at the public hearing. He explained the need for this ordinance and how it relates to the future granting of the Cable TV Franchise in town.
- The ordinance does not affect Satellite TV service in Chelsea. It may be possible to negotiate a base rate and/or a minimum number of channels for customers in Chelsea along with the length of the contract as part of the negotiations for the contract. The ordinance does not specify a company.
- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to
 - approve the Town of Chelsea Cable TV Franchising Ordinance. Vote was
 - unanimous. Motion carries.
- D. Old Thomaston Road, Tasker Road, Spruce Lane, Allen Ave., Goodwill Drive, and Birmingham Road were presented to be reconsidered for possible discontinuance. It was mentioned that September is too close to winter to discontinue roads and require homeowners to maintain them. As Road Commissioner, Scott Tilton can investigate further about costs to continue to maintain vs. costs that would result from discontinuing the roads cited. Perhaps the Department of Transportation could assist Scott Tilton with the pertinent information.

Written Communication:

- A. An email dated September 4, 2012 was received from Michael Edgecomb, Director, Government Relations at Time Warner Cable. It is a standard letter regarding programming.
- B. An email dated September 4, 2012 was received from Ken Young, Executive Director KVCOG (Kennebec Valley Council of Governments) stating that the contract to provide natural gas to facilities in Augusta with Maine Natural Gas was appealed by KVGas/Summit Utilities.
- C. Chelsea received an invitation to attend the KVCOG Annual Meeting on September 25, 2012 from 9:00-10:30 AM at Alford Youth Center in Waterville. Chelsea is not a member of KVCOG.
- D. A letter dated August 15, 2012 was received from KVCAP stating that they can assist Chelsea residents with financial counseling for households that make requests for assistance. Other workshops available are Basic money management, Maintaining your mortgage during unemployment, and low-cost strategies for winterizing and weatherizing homes.
- E. An Application for Special Permit for Catering Privileges Off Premises was requested without sufficient time to allow for proper process procedures to be followed. It was accepted, but the mandatory process was reviewed.
- F. The August Code Enforcement Office Monthly Report was received from Gary Quintal. Actions from July thru August were reported. He has been moving forward with enforcement of new ordinances. The Board of Selectmen appreciates these reports. Thank you Gary.
- G. The August Town Clerk Monthly Report was received from Lisa Gilliam. There were 205 30-day lien notices sent in July, and of those, 106 tax liens have been filed. Beginning in November, voting will take place in the Chelsea Elementary School gymnasium. Other items were included, and the Board of Selectmen appreciates the report. Thank you Lisa.
- H. The Year To Date and Expense Summary Report as of September 6, 2012 was reviewed. Scott Tilton will review the fuel oil 'lock-in' amounts and report to the Board of Selectmen. The Board of Selectmen finds these reports very helpful. Thank you Scott.

Verbal Communication:

A. Town Manager Report

There is a meeting with Steve McGee Wednesday, September 19, 2012 at the Town Office to review last year's snowplowing and sanding issues and discuss this coming winter's snowplowing and sanding.

B. The RSU#12 Board of Directors [School Board] voted for a proposal that includes a new formula based on resident, subsidizable student count for calculating each town's contributions for regular as well as putting a "safety net" in place for three (3) years to phase in the changes. [A referendum will be on the Nov. 6, 2012 ballot where it requires a district-wide simple majority to be ratified]. The new formula was discussed and although it is suppose to be a simple, fair approach, to some it remains confusing, and whether it is fair is questionable.

C. Board of Selectmen/Assessors Comments and Concerns. Nothing additional.

Next Board of Selectmen Meeting is September 26, 2012 at 6:30 PM at Chelsea Elementary School.

Adjournment:

- A motion to adjourn was made by Mike Pushard that was seconded by Linda
- Leotsakos.

Ben Smith declared the meeting adjourned at 8:59 PM.

Approved by the Chelsea Board of Selectmen on September 26, 2012.

Benjamin Smith – Chair

Michael Pushard

Linda Leotsakos