

**Town of Chelsea
Board of Selectmen Minutes
December 10, 2014
Chelsea Town Office
6:45PM**

I. Call regular meeting to order:

The meeting was called to order at 6:46PM by Chairman Smith.

Selectmen present: Michael Pushard, Richard Danforth and Benjamin Smith.

Others present: Scott Tilton, David Brunelle, Will Oxley III, Richard Condon, John Chevalier, Maurice Robbins, Marjorie Robbins, Carol Belanger, Brooklyn Belanger, Paula Hutton, Molly Alexander, Llewellyn Murray, Belinda Guyon, Jeffrey Allen Jr., Jeffrey Allen Sr., Skip Skehan, Barbara Skehan, Rick Guyon, Gary Quintal, Lee Burns, Peter Hanson, Gerard Tondreau, Mike Tondreau and a few other members of the public.

The Pledge of Allegiance was recited.

II. Consent Agenda:

- A. Approval of Payroll Warrant # 21 in the amount of \$ 6,296.86
- B. Approval of Accounts Payable Warrant # 22 in the amount of \$ 7,611.81
- C. Approval of Accounts Payable Warrant # 23 in the amount of \$ 295,177.40
- D. Approval of Payroll Warrant # 24 in the amount of \$ 5,256.91
- E. Approval of Minutes of November 12, 2014 Board of Selectmen Meeting
- F. Approval of Minutes of November 12, 2014 Executive Session
- G. Confirmation of Town Managers appointment of Waldo Gilpatrick as the E911 Addressing Officer
- H. Confirmation of Town Managers Appointment of Scott Tilton as the Alternate E911 Addressing Officer

A motion was made by Mr. Danforth that was seconded by Mr. Pushard to approve consent agenda items A through H. The vote was unanimous.

III. Public Comment:

None

IV. Scheduled Items:

A. New Business:

1. The Town Manager announced to the Selectmen and members of the public that there were Automated External Defibrillator (AED) Grant funds available to assist rural areas in purchasing an AED. The AED Unit would be provided free of charge to Chelsea. There would be an ongoing cost to maintain the device which would primarily include batteries and patches. The Selectmen were generally supportive of a grant for this purpose being submitted.

2. The Town Manager presented the Selectmen with the proposed 2015-16 Budget Review Schedule. The Selectmen will review their calendars before the dates are finalized.

3. The Town Manager presented the Selectmen with proposed changes to the Chelsea Personnel Policy. The Manager explained that he was attempting to undertake major changes in an effort to better clarify and address all the personnel practices the town may have to make a personnel related decision on. The Board will review the policies and be ready to discuss and act on them at the next meeting.

V. Legal:

1. Michael Tondreau was present to further present his reasons and evidence why the Selectmen should not pursue legal action against him on a proposed land use violation at his property at Map 8 Lot 54-CO. After much discussion it was determined that he still had not provided to the Board the information they had requested.

A motion was made by Mr. Smith that was seconded by Mr. Pushard to continue this at the next scheduled meeting and if Mr. Tondreau does not present the requested information the Selectmen would take a vote on pursuing legal action to correct the violation. The vote was unanimous.

There was discussion on why the need to discontinue three roads that were discontinued by town voters in 2002. The reason this particular action is required is that there appears to be no record of the discontinuance in the Registry of Deeds

V. Legal: continued

2. Dondero Road Discontinuance—

A motion was made by Mr. Smith that was seconded by Mr. Danforth to order the discontinuance of the Dondero Road beginning at a point just southerly of the present turnaround opposite a pair of trees, being an 11 inch diameter Poplar tree and an 8 inch diameter Maple tree growing closely together, said point being about 630 feet southerly of the south side of the private way called Blanchard Drive and about 308 feet southerly of the present location of CMP Pole #17; and from there, extending in a southerly direction to the northerly end of the recently improved section now known as the South Dondero Road at a point about 35 feet northerly of another private way called Robbins Lane, leading to #99 South Dondero Road, about 0.4 miles northerly of it's intersection with Hankerson Road, said point being 100 feet northerly of the present location of CMP Pole #510 and about 247 feet northerly of an iron stake and a large flat rock marked with a red paint and the letter "R" at the apparent southwesterly corner of land conveyed to Maurice E. Robbins et al by deed recorded in the Kennebec County Registry of Deeds in Book 4875 Page 293.

The Selectmen award to the current property owners damages as follows:

Laura Heath - Map 1 Lots 287 and 289 – 110 South Dondero Road, Chelsea ME 04330- \$0,
Richard Guyon - Map 5 Lot 23 – 426 South Monmouth Road, Monmouth ME 04259- \$0,
Jeffrey Picciotta - Map 5 Lots 25, 29 and 99 – 11 Jenny Hill Lane, Nashua NH 03062 - \$0,
Elizabeth Street - Map 5 Lot 89 – 27 Libby's Way, Chelsea ME 04330 - \$0
John Chevalier - Map 5 Lot 101 – 99 South Dondero Road, Chelsea ME 04330 - \$0,
Maurice and Marjorie Robbins – Map 5 Lot 103 – 99 South Dondero Road, Chelsea ME 04330 - \$0

The vote was 2 in favor and 1 opposed (Pushard)

A motion was made by Mr. Smith that was seconded by Mr. Danforth to issue and file with the Chelsea Town Clerk an Order of Discontinuance that accurately reflects the action taken by the Board of Selectmen to discontinue the Dondero Road, and that the Selectmen send abutting property owner's best practicable notice of this action without delay.

The vote was 2 in favor and 1 opposed (Pushard)

V. Legal: continued

3. Birmingham Road Discontinuance –

A motion was made by Mr. Smith that was seconded by Mr. Danforth to order the discontinuance of the Birmingham Road as lies southerly of the present southerly sideline of Hankerson Road and extending southerly therefrom to the present terminus of the road as now used and maintained by the Town, located about .22 miles northerly of its intersection with Collins Road, as hereinafter described, be considered discontinued pursuant to the original warrant article as aforesaid and the southerly terminus thereof being more fully described as being located about 352 feet northerly of the southerly line of the Holmquist Farm, known or referred to at one time as the Judge Place as aforesaid, as conveyed to Clifford N. Holmquist, Jr. et al by deed recorded in the Kennebec County Registry of Deeds in Book 6207 Page 263, said point being about 35 feet northerly of the north side of the driveway leading to said farm and being about 90 feet northerly of the present location of CMP Pole #27 and about 328 feet northerly of the present CMP Pole #26

The Selectmen award to the current property owners damages as follows:

Gene West - Map 1 L 25 – 6 West Lane, Chelsea ME 04330- \$0,
John Lemoine – Map 1 Lot 23 – 82 Cheney Road, Chelsea ME 04330 - \$0,
Rudolph and Helen Trundy - Map 1 Lot 63 – 27 Hankerson Road, Chelsea ME 04330 - \$0,
David Brunelle - Map 1 Lots 151 and 152 – 45 Deer Run Drive, Chelsea ME 04330 - \$0,
Michael and Holly Gagnon - Map 1 Lot 65 – 49 Hankerson Road, Chelsea ME 04330 - \$0,
Llewellyn Murray and Molly Alexander – Map 1 Lot 149 – 259 Birmingham Road, Chelsea ME 04330 - \$0,
Brian Warren - Map 1 Lot 153 – 258 Birmingham Road, Chelsea ME 04330 - \$0,
Paul Bujold – Map 1 Lot 71 – 9 Deer Run Drive, Chelsea ME 04330 - \$0,
Spurwink School – Map 1 Lot 31 – 899 Riverside Street, Portland ME 04103 - \$0
Gary and Tamra Pierce – Map Lot 72 – 21 Deer Run Drive, Chelsea ME 04330 - \$0
David Ambrose and Shelby Johnson – Map 1 Lot 69 – 5 Deer Run Drive Chelsea ME 04430 - \$0
Central Maine Power Company – Map 8 Lot 266 - Easements and Rights of Way – 70 Far View Drive Freeport Hall, New Gloucester ME 04260 - \$0

Vote was unanimous.

V. Legal: continued

3. Birmingham Road Discontinuance –

A motion was made by Mr. Smith that was seconded by Mr. Danforth to issue and file with the Chelsea Town Clerk an Order of Discontinuance that accurately reflects the action taken by the Board of Selectmen to discontinue Birmingham Road, and that the Selectmen send abutting property owner's best practicable notice of this action without delay.

The vote was unanimous.

4. Allen Avenue –

A motion was made by Mr. Smith that was seconded by Mr. Danforth to order the discontinuance Allen Avenue beginning at the point where the center of the former North Whitefield Road as travelled prior to the establishment of the present Cooper Road intersects the present southerly sideline of Allen Avenue, said point being located about 300 feet easterly of Eastern Avenue as measured along the southwesterly and southerly sidelines of said Allen Avenue and about 20 feet east present location of CMP Pole #003; and from there, extending northerly at right angles to said Allen Avenue to the northerly sideline thereof.

Meaning and intending to describe and discontinue all of that portion of the former county way, now known as Allen Avenue, beginning about 300 feet easterly as measured along the southwesterly and southerly sidelines of Allen Avenue from a point in the southerly sideline of Eastern Avenue located about opposite Station 322+59 on the baseline of Eastern Avenue as shown on the Right of Way Map prepared by the former Maine Highway Commission entitled State Highway "205", Chelsea-Whitefield, Kennebec-Lincoln County, Federal Aid Secondary Project No. S-205(3) dated January 1956, being sheet 3 of 3 sheets as filed in the main office of the Maine Department of Transportation under S.H.C File No, 6-74, to which reference is hereby made; and from there, extending easterly to the point where the southerly sideline of Allen Avenue again intersects the southerly sideline of Eastern Avenue at a point located about opposite Station 330+12 on said baseline and about 85 feet, more or less, westerly of the westerly sideline of Cooper Road as shown on the Right of Way Map.

The Selectmen award to the current property owners damages as follows:

Gloria and Edward Tardiff Trustees - Map 11 Lot 126 – 15 Lambard Road Apt 104,
Augusta ME 04330 - \$0,
Jeffrey Allen Jr Map 11 Lot 132 – 9 Allen Avenue, Chelsea ME 04330 - \$0,
Jeffrey Kincaid Map 11 Lot 130 – 17 Allen Avenue, Chelsea ME 04330 - \$0,

Vote was unanimous.

V. Legal: continued

4. Allen Avenue Discontinuance –

A motion was made by Mr. Smith that was seconded by Mr. Danforth to issue and file with the Chelsea Town Clerk an Order of Discontinuance that accurately reflects the action taken by the Board of Selectmen to discontinue Allen Avenue, and that the Selectmen send abutting property owner's best practicable notice of this action without delay.

The vote was unanimous.

5. Maintenance of Cemeteries; Private v Public

The Town Manager reviewed with the Selectmen the results of his and the Town's legal teams research concerning the future maintenance of private cemeteries by the Town. There appears to be very little short of obtaining deeds to the burial grounds that can be done. The Board requested that the Cemetery Committee meet to come up with a recommendation on future maintenance. No action was taken at this time

B. Old Business:

3. Final review of Code Enforcement Memorandum of Decision

The final wording was reviewed and approved in follow up to a decision made by the Board of Selectmen. No further action was needed or taken.

1. TIF District Project review and schedule.

The Selectmen reviewed the proposed list of projects that could be financed using TIF funds. The Selectmen wanted to have taxpayers review the list at a January 14, 2014 Public Hearing before making changes.

The Selectmen scheduled a Special Town Meeting for January 21, 2014. The voters would be asked to approve the submission of a TIF application to Maine DECD.

B. Old Business: continued

2. Supplemental tax Assessment – Benjamin and Tracie Smith

Chairman Smith turned this portion of the meeting over to Vice Chairman Danforth citing a conflict of interest.

Before April 1 of 2014 the taxpayer purchased additional land. The land was not included in the 2014-15 taxes.

A motion was made by Mr. Pushard that was seconded by Mr. Danforth to issue a 2014-15 Supplemental Tax of \$24.73 to Benjamin and Tracie Smith.

The vote was 2 – 0 – 1 (Smith).

VI. Written Communication:

- A. The Board received a letter from Time Warner Cable dated December 3, 2014
- B. The Board received a copy of the Treasurer's Report.
- C. The Board received a copy of the Town Manager's Report

**VII. Verbal Communication:
Town Manager – NONE**

Chelsea's RSU #12 Representative – Barbara Skehan informed the Selectmen of the December 11, 2014 RSU #12 School Board Meeting

Board of Selectmen:
Mike Pushard – NONE
Richard Danforth – NONE
Benjamin Smith – NONE

IX. Adjournment:

A motion was made by Mr. Smith and seconded by Mr. Pushard to adjourn the meeting. Mr. Smith declared the meeting adjourned at 8:48PM.

VIII. Executive Session:

A motion was made by Mr. Smith and seconded by Mr. Danforth to go into executive session to discuss a Personnel Matter in accordance with 1 MRSA § 405 (6) (A).

A motion was made by Mr. Pushard and seconded by Mr. Danforth to come out of executive session. Out at 9:00PM.

A motion was made by Mr. Pushard and seconded by Mr. Danforth to adjourn the executive session. Mr. Smith declared the executive session adjourned at 9:00PM.

No action was taken in executive session.

Approved by the Chelsea Board of Selectmen on January 14, 2015

Benjamin Smith, Chair

Michael Pushard

Richard Danforth, Vice Chair