

**Town of Chelsea
Board of Selectmen Meeting Minutes
December 28, 2011**

Regular Meeting:

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 forty-five (45) residents and members of the public.

Consent Agenda:

- A. Approve Payroll Warrant # 29 in the amount of \$5,712.89.
- B. Approve Accounts Payable Warrant # 30 in the amount of \$45,530.70.
- C. Approve Board of Selectmen Meeting Minutes of December 14, 2011.

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

Public Comment on Items not part of the Agenda:

Tim Coitrone asked if there has been any more discussion with the party interested in buying out the lease on the cell tower on Eastern Avenue. Scott Tilton said that no money amounts have been discussed.

Scheduled items:

A. Old Business:

- 1. The Town of Chelsea Investment Policy brought to the Board of Selectmen for first reading on December 14, 2011 was reviewed for final approval. It was noted that the Town Manager and office personnel are each bonded for \$250,000.
- A motion was made by Ben Smith that was seconded by Mike Pushard to approve the Town of Chelsea Investment Policy as presented. Vote was unanimous. Motion carried.
- 2. Scott Tilton did more research regarding the wording in the R.F.P. (Request For Proposals) surrounding the use of income and sales data to reevaluate commercial and special buildings, rental, and farm real estate property (on R.F.P. pages 14, 15, and 16). He has highlighted the controversial wording on page 16 #31 that he recommends be removed in the R.F.P. The income approach, cost approach, and sales comparison are typically used for commercial property valuation. This would essentially eliminate use of the income approach in this revaluation. Ben Smith, Mike Pushard, and Linda Leotsakos agreed that the wording surrounding use of 'income' for this R.F.P. should be stricken. Linda Leotsakos wanted to be sure that changing the wording would not restrict the methods available to the revaluation contractor and 'cripple' the project. It is important that a trained, certified assessor be hired to fairly and equitably reevaluate properties in the Town of Chelsea. The vote by the Board of Selectmen will be postponed until the next meeting, January 11, 2012, to allow time for more input and comments from residents and business owners. Linda Leotsakos, on behalf of the Board, thanked everyone for participating in this meeting and appreciated the input and comments. (Residents' concerns expressed were recorded for the Board of Selectmen to consider and were reported separately). This item allows proposals to be gathered not for revaluations to begin. It must be voted on soon to attain cost data to prepare for next year's budget.
 - 3. There were concerns that electricity consumption at the Hallowell Fire Station had increased since the donated soda machine had been plugged in. The soda machine was unplugged and the electricity usage has decreased. The usage will be followed to see if the soda machine is actually the reason.

Scheduled items:

B. New Business:

1. Ben Smith reported that the Safe Fireworks Committee met on December 20, 2011. The committee questioned whether a moratorium on (consumer) sale, possession, and use of fireworks was needed due to the repealed legislation that becomes effective January 1, 2012. Scott Tilton talked with MMA (Maine Municipal Association). It was felt that the Safe Fireworks Committee could continue committee work and present an ordinance rather than to bring a moratorium to vote.

The Safe Fireworks Committee unanimously voted to draft an ordinance to prohibit (consumer) sale, possession, and use of fireworks, in accordance with state and federal laws. The Town Attorney is reviewing and a draft copy is available for informational purposes and to allow residents to provide input. This item will come before the Board of Selectmen at the next meeting, January 11, 2012.

2. The Red Cross approved the Chelsea Elementary School for use as an emergency shelter. The Red Cross will run the shelter, and the Red Cross will reimburse any associated costs (ex. kitchen use and personnel). It is the call of the Red Cross to open the school as a shelter to for the Red Cross to reimburse costs.

It was questioned whether the Chelsea Board of Selectmen or SVRSU #12 Superintendent is the responsible emergency management party. Shawn Ramage reviewed and approved the plan and talked to Greg Potter, SVRSU #12 Superintendent. Barbara Skehan will get more information from Greg Potter at the January 12, 2012 SVRSU #12 Board Meeting and share the Chelsea Board of Selectmen's support.

3. Town Manager, Scott Tilton was asked by the Board of Selectmen to prepare a Request For Proposals (RFP) for Legal Services for the Town of Chelsea, Maine. This contract would be through June 30, 2013 following appropriate negotiations and the Procurement Ordinance. The timing of this R.F.P. is to gather cost information for the budget process. This is to be the 1st reading and will be brought back to the Board at the next meeting on January 11, 2012.

Skip Skehan asked if the current Town Attorney would continue to represent the Town of Chelsea with its current legal issues. In consideration of this concern, this R.F.P. may need to be postponed. It will be discussed at the next meeting on January 11, 2012.

4. Town Manager, Scott Tilton was asked by the Board of Selectmen to prepare a Request For Proposals (R.F.P.) for Town Auditing for the Town of Chelsea, Maine. It is a five (5) year contract to allow for continuity. This is to be the 1st reading and will be brought back to the Board at the next meeting on January 11, 2012.

5. A draft of the Town of Chelsea Policy for Contacting Town Attorney was reviewed. This sets guidelines to direct questions through the Town Manager instead of directly to the Town Attorney. Scott Tilton always contacts MMA first for guidance because it is a service the town pays for through its membership. This is drafted to help minimize confusion and to streamline the process.

Mike Pushard questioned the wording that stated that an individual selectman would be responsible for the fees without prior authorization from the Board of Selectmen. Linda Leotsakos stated that the Town Manager should be contacting the Town Attorney, or the Chair of the Board of Selectmen if the Town Manager is not available. It was also noted that if a concern arises about the Town Manager's performance, the Chair of the Board of Selectmen would be responsible to contact the Town Attorney.

This item will be discussed at the January 11, 2012 meeting.

B. Old Business: continued,

6. Town Manager, Scott Tilton brought a Town of Chelsea, Property Assessed Clean Energy (PACE) Ordinance to the Board of Selectmen for review. This would allow owners of qualifying property to access financing for energy saving improvements to their properties in Chelsea. The Efficiency Maine Trust would administer the program at no cost to the Town of Chelsea.

Linda Leotsakos thanked Scott Tilton for bringing it to the board and will look into whether the Rural Maine Partners program would fit in this ordinance. Each Board member will review this ordinance and will discuss it at the January 11, 2012 meeting.

7. The Code Enforcement Officer Job Description was reviewed and revised. This is to be the 1st reading and will be brought back to the Board at the next meeting on January 11, 2012.

Written Communication:

A. A letter from Time Warner Cable dated December 7, 2011 was received. It is a routine notice regarding their agreements with programmers and broadcasters.

Legal Issues:

A. Motor Vehicle Agent Authorization.

Susan Phelps (part-time Chelsea Office Clerk) is an authorized motor vehicle and commercial truck agent. Scott Tilton asked the board to appoint her as Chelsea's BMV Municipal Agent so that Commercial truck registrations can be done again in Chelsea. The hours would be limited to the hours that Sue is in the office. Cynthia Burnham (full-time Office Clerk) will be attending a training class in February.

- A motion was made by Ben Smith that was seconded by Mike Pushard to appoint Susan Phelps as a Motor Vehicle Municipal Agent for Commercial Truck registrations. Vote was unanimous. Motion carried.

B. Seven (7) tax-acquired properties from Tax Year 2009 were brought to the Board for review. One (1) of the properties, Map 1 Lot 121, has an invalid repurchase agreement with the owner. There were no repurchase agreements found for the other six (6) properties.

The Board of Selectmen asked Scott Tilton to follow up with the owners one (1) last time and put the issue back on the agenda for the January 11, 2012 meeting.

The last property, Map 6 Lot 008, on the tax-acquired properties from Tax Year 2009 was dealt with at the December 28, 2011 Board of Selectmen Meeting.

C. The Maine Forest Service Report updating the properties in Tree Growth has been completed by Linda Leotsakos and returned.

D. The Property Sales Analysis has been completed and sent to Maine Revenue Services to review. Thomas Hayes, Assessor Agent and Linda Leotsakos (with help from Rick Danforth) completed the paperwork.

Verbal Communication:

A. Town Manager Report.

Roads – I have decided to delay the work to the edges of the paved roads until spring. Expected colder weather and ongoing snow will create issues if work is done now. I had the plow contractor repair the damage to the Intervale Road.

Chelsea Sign – The Chelsea signs have been decorated for the holidays. They look very nice.

Verbal Communication:

A. Town Manager Report, continued,

Legal – The case with Frank Monroe continues to move slowly. Our attorney is still unsure if the case will be moving forward following the letter that was sent to opposing counsel. There is talk of a possible settlement on the Flavia Kelly case. If no settlement can be agreed to, the depositions will be scheduled for January. I will be attending and Ben has expressed an interest in also attending. When a date is finalized Selectboard members will be notified.

Property on Collins Road – Maine State Housing has gotten involved and is attempting to obtain funding to make repairs to the property. I have also been in contact with their daughter who has gotten involved and is trying to help.

Website Upgrades – I am in the process of making updates to the minutes and town departments section of the website. Upgrades include creating an area on the site for the minutes to be displayed for the various committees i.e. Planning Board, Selectmen and Budget. The other upgrades include revamping the town department section to allow each department, board and committee an area to post items and to list membership.

Rescue Repair Update – Ford received the letter I sent on December 5. I have made follow up attempts to determine who received the letter and whom I can speak with about it. Our attorney is going to obtain a contact number for me to use should customer relations not be any help. He is also prepared to send a letter should it be necessary.

B. Department Reports. None.

C. School Department Report. There has not been a meeting since the December 14, 2011 Board of Selectmen Meeting. Nothing additional.

D. Linda Leotsakos will complete a survey from the census bureau and have the Selectboard Members review the information. A Board of Assessors Meeting is scheduled for Monday, January 9, 2012 to discuss four (4) abatement applications. After the meeting, a Board of Assessors will have an open workshop to review all the transactions since April 2011.

Executive Session: There was no Executive Session.

Next Board of Selectmen Meeting: January 11, 2012 at 6:30 PM in the Chelsea Elementary School Cafeteria.

Adjournment:

- A motion to adjourn was made by Ben Smith that was seconded by Mike Pushard. Vote was unanimous. Linda Leotsakos declared the meeting adjourned at 9:27 PM.

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

Linda Leotsakos – Chair

Michael Pushard

Benjamin Smith