

**BOARD OF SELECTMEN
TOWN OF DOVER-FOXCROFT
MONDAY, NOVEMBER 14, 2016 ~ 6:30 PM
DOVER-FOXCROFT MUNICIPAL BUILDING
MEETING ROOM
MINUTES**

I. OPEN MEETING

A. Opening Ceremonies

Chairman Edgerly opened the meeting at 6:30 PM and led the Pledge of Allegiance.

B. Roll Call

Present: Chairman Edgerly, Vice Chairman Freeman Cyr, Jane Conroy, Scott Taylor, and W. Ernie Thomas. Late: Stephen Grammont. Absent: Gail D'Agostino.

Also present: Town Manager, Jack Clukey.

II. CONSENT AGENDA

A. Treasurer Warrants

1. Payroll Warrant #28, #31
2. Administrative Warrant #29
3. Wastewater Warrant #30
4. Gen Fund/WW Warrant #M-08-16

B. Cemetery Conveyance

1. Simpson, Joyce - South Dover Annex Block 24, Sp. 1&2
2. Thibeault, Debra and Kim Snow – Rural Grove, New Sect. L103B Sp.1&2

Resolution #082-111416

MOTION: Thomas, seconded: Conroy, and voted unanimously (5-0) to approve the Consent Agenda. Motion passed.

III. APPROVAL OF MINUTES

Board of Selectmen Meeting Minutes – October 24, 2016

Resolution #083-111416

MOTION: Freeman Cyr, seconded: Thomas, and voted unanimously (5-0) to approve the minutes of the Board of Selectmen Meeting of October 24, 2016. Motion passed.

IV. QUITCLAIM DEEDS

V. BOARD OF ASSESSORS/MUNICIPAL OFFICERS

Abatements

Vice Chairman Freeman Cyr said that the assessing committee thoroughly reviewed each abatement application.

Resolution #084-111416

MOTION: Conroy, seconded: Thomas, and voted unanimously (5-0) to approve the abatement recommendations of the assessing committee. Motion passed.

VI. OPEN SESSION

A. Public Hearing - Extension of Moratorium Ordinance Regarding Private Distribution Corridors to Include Paved Highways, Pipelines, and High Tension Transmission Lines

Chairman Edgerly opened the hearing at 6:35 PM. Town Manager, Jack Clukey said that the Moratorium Ordinance adopted by voters in June 2014, will expire on November 30, 2016. He said that the Comprehensive Plan which was updated to address future projects such as the east-west highway passed by town meeting vote at the November 8, 2016 Special Town Meeting Referendum Election, and now work must begin to make the land use ordinance consistent with the Comprehensive Plan. Town Manager Clukey said that in order to renew the moratorium a public hearing needs to be held and there needs to be a determination as to whether the need for the Moratorium still exists and whether reasonable progress is being made for a 180 day extension beginning December 1, 2016 and ending on May 30, 2017.

Dr. Lesly Fernow said that until the land use ordinance is brought up to date with the comprehensive plan she feels there is a need to continue the moratorium and would like the Board of Selectmen to support the extension of the moratorium ordinance.

The public hearing was closed at 6:40 PM.

B. Open Session – Public

Dr. Lesly Fernow talked about the Window Dressers Program. Dr. Fernow said the program has been serving indigent families at a cost of \$10 for 10 windows. She said that more applications have been received than there is funding available for, so there will be more fundraising efforts in spring and summer. Dr. Fernow said that she has been spreading awareness of Penquis and LIHEAP Programs to those being served by the Windows Dressers Program to they can received benefits from other programs as well.

C. Open Session – Board of Selectmen

Selectman Conroy reminded the Board of the County Commissioners meeting on Tuesday, 11/15. She said that it would be to the Board's advantage to attend since County law enforcement will be discussed.

Selectman Conroy also noted a solar power meeting in Garland on Wednesday, 11/16.

Vice Chairman Freeman Cyr said she appreciated the town's election workers and said that they should be proud of the process and that when she was at the polls, there was a friendly, patient atmosphere. Members of the Board agreed that although there was a long line at the polls, the line moved quickly and election workers worked efficiently.

Selectman Thomas asked if a representative from the YMCA could give the Board a report on programs and funding. The Town Manager said he would invite the YMCA Board of Directors Chairperson to an upcoming meeting to give the Board a report on programs and funding at the YMCA.

Vice Chairman Freeman Cyr asked if there is a timeline for a search for a new police chief. Town Manager Clukey said that he expects to have a protection committee meeting by the end of November or early December. He said that Chief Dyer is appointed as interim Chief until the position is filled or the end of July, whichever is sooner.

D. Adjustments to the Agenda

Town Manager Clukey added: New Business D. State of Maine Question 1: Citizen's Initiative, An Act to Legalize Marijuana.

VII. COMMITTEE REPORTS

Administrative/Assessing ~ 102616

Town Manager, Jack Clukey reported that at the administrative/assessing committee meeting, the abatements were reviewed and recommendations made on the abatement requests.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

A. Extension of Moratorium Ordinance Regarding Private Distribution Corridors to Include Paved Highways, Pipelines, and High Tension Transmission Lines

Resolution #085-111416

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (6-0) to approve and sign the Resolution for the Extension of the Moratorium Ordinance Regarding Private Distribution Corridors to Include Paved Highways, Pipelines, and High Tension Transmission Lines by an additional 180-day time period beginning on December 1, 2016 and ending on May 30, 2017. Motion passed.

B. Liquor License Renewal Application – Pat's Pizza

Resolution #086-111416

MOTION: Taylor, seconded: Conroy, to approve the liquor license renewal application submitted by Alyson Ade for Pats Pizza, 100 East Main Street, Dover-Foxcroft.

Vice Chairman Freeman Cyr asked about entertainment at Pat's Pizza as a section of the application pertaining to live music/entertainment was left incomplete. It was discussed that this could be covered under the special amusement ordinance and permit.

Vote unanimous (6-0), motion passed.

C. Snowmobile Club Grant in Aid Program 2016-2017

Resolution #087-111416

MOTION: Conroy, seconded: Thomas, and voted unanimously (6-0) to approve the Town's participation in the 2016-2017 Snowmobile Club Municipal/County Grant-in-Aid Program. Motion passed.

D. State of Maine Question 1: Citizens Initiative, An Act to Legalize Marijuana

Regarding the Citizen's Initiative, An Act to Legalize Marijuana, the Town Manager said that a citizen's initiative takes effect 30 days following the official passage of the question. He said that there are three matters in the initiative that need to be considered: 1. personal use and consumption, 2. State licensing and regulation for retail sales, and 3. taxation. He

said that the Department of Agriculture has nine months to process a system in which to determine how it will regulate and license the retail aspect of the law.

He said the town needs to focus on regulation and permitting at the local level. Town Manager Clukey referred to and discussed a section of a packet titled Intent and Content prepared by the Attorney General's Office with the Board of Selectmen, specifically the section on Municipal Authority. They discussed the authorizations to consider in local approval such as whether the town would prohibit the operation of retail marijuana establishments and retail marijuana social clubs; restrict the number of retail stores in the town, regulate local operation of establishments and social clubs, and adopt regulations for retail marijuana establishments and social clubs.

The Town Manager noted that the town's regulations must be at least as restrictive as State law regulations and may include local permitting or licensing requirements.

Board members discussed timeframes and what type of local ordinance, policies, or regulations to utilize in setting requirements and permitting. They also discussed the possibility of a moratorium on granting permits regarding retail activities with respect to marijuana.

E. Town Manager's Report

Town Manager, Jack Clukey, gave the following report:

Dredging took place last week at the marina. Low water levels this year were beneficial.

Earlier this fall, Charleston Correctional Facility assisted in getting the roof shingled at the maintenance shed. This work was done through the restitution program.

MEMIC did a full day of safety training earlier in the month and there is a plan for doing this with MEMIC on an annual basis.

Enclosed in Correspondence is the vote tally from Election Day.

He said that at the next meeting on Tuesday, November 29th, plans to have some names to bring forward for appointment to the committee to update the Land Use Ordinance. He said that some people who have been on the comprehensive planning committee are interested in continuing to work in this next phase.

Hometown Holiday Events are scheduled for Saturday, December 3rd.

X. CORRESPONDENCE

-RSU No. 68 Board of Directors Meeting 11/01/16 Minutes, Policies for First Reading

-Results, State of Maine General & Referendum and Town of Dover-Foxcroft Special Town Meeting Referendum Election, 110816

XI. CLOSING REMARKS (Open Session if necessary and time permitting.)

XII. EXECUTIVE SESSION

Abatement Application Inability to Pay

Resolution #088-111416

MOTION: *Freeman Cyr, seconded: Conroy, and voted unanimously (6-0) to go into Executive Session per 36 MRSA §841(2)(e) to discuss an abatement application due to inability to pay. Motion passed.*

Resolution #089-111416

MOTION: *Freeman Cyr, seconded: Conroy, and voted unanimously (6-0) to table the abatement application to allow for additional information to be presented. Motion passed.*

Resolution #090-111416

MOTION: *Conroy, seconded: Grammont, and voted unanimously (6-0) to come out of Executive Session. Motion passed.*

ADJOURN

Resolution #091-111416

MOTION: *Conroy, seconded: Grammont, and voted unanimously (6-0) to adjourn. Motion passed.*