

**BOARD OF SELECTMEN
TOWN OF DOVER-FOXCROFT
MONDAY, JANUARY 23, 2017 ~ 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

Selectmen present: Chairman Elwood Edgerly, Vice Chairman Freeman Cyr, Jane Conroy, Gail D'Agostino, Stephen Grammont, Scott Taylor, and W. Ernie Thomas.

Also present: Town Manager, Jack Clukey.

II. CONSENT AGENDA

Treasurer Warrants

1. Administrative Warrant #38, #41, #46
2. Payroll Warrant #39, #43, #44, #45
3. Wastewater Warrant #40
4. Trust Fund Warrant #42
5. Gen Fund/WW Warrant #M-01-17

Resolution #106-012317

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to approve the Consent Agenda. Motion passed.

III. APPROVAL OF MINUTES

Board of Selectmen Meeting Minutes – December 12, 2016

Resolution #107-012317

MOTION: Taylor, seconded: Conroy, and voted unanimously (7-0) to approve the minutes of the Board of Selectmen Meeting of December 12, 2016. Motion passed.

IV. QUITCLAIM DEEDS

V. BOARD OF ASSESSORS/MUNICIPAL OFFICERS

A. Abatements

Town manager Jack Clukey said that the list of abatements and recommendations went before the Assessing Committee last week.

Resolution #108-012317

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (7-0) to approve the recommendations of the assessing committee for the abatement applications reviewed at the assessing committee meeting of January 18, 2017. Motion passed.

B. Uncollectable Accounts – Real Estate Taxes and Sewer Charges

Resolution #109-012317

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (7-0) to deem the following real estate tax accounts and sewer accounts as uncollectable: RE1168, RE1797, RE1665, UT462, UT844. Motion passed.

VI. OPEN SESSION

A. Public Hearing

Liquor License Application – Pastimes Pub, John Spack, 118 East Main St.

Board Chair Elwood Edgerly open the hearing at 6:40. Chairman Edgerly invited public comment on the application. It was noted that the applicant was not in attendance. No comments were received. The hearing was closed at 6:41.

B. Open Session – Public

Sandra Spear, resident of High Street spoke about a land use issue. She said that her neighbor was given a permit related to the operation of a business and restrictions which were placed on business activity being done on high street. She said she felt that the restrictions placed on the permit by the planning board have not been adhered to. She asked that the Board of Selectmen look into the issue.

C. Open Session – Board of Selectmen

Town Manager, Jack Clukey handed out information on an economic development summit being held at the Cross Center on February 10th and invited Board of Selectmen and planning board members to attend. Gail D'Agostino said that she would attend and that Lisa Laser from the planning board may attend. Town Manager Jack Clukey said he planned to attend also.

Selectman Thomas asked about the uncollectable accounts voted on previously on the agenda and asked why the accounts are uncollectable. Town manager Jack Clukey said that they were uncollectable because the former owner relinquished the real estate to the town in lieu of paying the taxes/fees and now the town is free to bid the property or retain it for its own use. Clukey said that if taxes are not paid then the tax lien automatically forecloses 18 months after filing after which the former owner may negotiate a repurchase of the property from the town for the amount owed and the amount that would have been assessed had the property not foreclosed. Cindy Freeman Cyr asked if there was any recourse for the town to collect the amounts due. Town manager Jack Clukey said that he wasn't aware of any recourse on real estate due to the automatic foreclosure process but that small claims could be used for personal property tax where automatic foreclosure doesn't apply. Select board member Freeman Cyr spoke in favor of confirming whether or not the town might still have recourse in collecting the taxes/fees separate from the auto foreclosure process.

Select Board member Cindy Freeman Cyr asked about how we go about resolving the land use issue brought forth by Ms. Spear. Jack Clukey said that he knew that Code Enforcement Office Connie Sands was aware of her concerns and that he didn't know if Ms. Sands had made a determination as to whether the permit restrictions are being adhered to or not and that he would find out from Ms. Sands where she is in terms of pending actions on this complaint, if any and report back.

Select Board member Thomas said that there was a significant pothole on North Street between the Nor'easter and the Bears Den. Select Board Chair Edgerly said that there was also a pothole near the Roger and Deborah Davis property on North Street.

D. Adjustments to the Agenda

Town Manager Jack Clukey said that he had just received the Assessors Return for the County Tax in the mail and asked that it be added to the agenda as item D. under new business.

VII. COMMITTEE REPORTS

Town Manager Jack Clukey reported that the Public Works, Wastewater and Admin/Assessing Committees have met to discuss budgets. Cindy Freeman Cyr said that the Assessing Committee asked for a list to be developed of new and taxable property to show the additions to the tax base to contrast with the deletions in the tax base as a result of abatements.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

A. Liquor License Application Pastimes Pub John Spack - 118 East Main Street

Resolution #110-012317

MOTION: Freeman Cyr, seconded: Thomas, and voted unanimously (7-0) to approve the liquor license application submitted by John Spack for Pastimes Pub located at 118 East Main Street Dover-Foxcroft, Maine 04426. Motion passed.

B. Wastewater Abatements

Resolution #111-012317

MOTION: Taylor, seconded: D'Agostino, and voted unanimously (7-0) to approve recommendations of the wastewater committee for the wastewater abatement applications reviewed at the wastewater committee meeting of January 16, 2017. Motion passed.

C. Sewer Commitment – 2017 3rd Quarter October 1 – December 31, 2016

Resolution #112-012317

MOTION: Freeman Cyr, seconded: Taylor, and voted unanimously (7-0) to sign the Sewer Billing Commitment 2017 3rd Quarter for the period of October 1, 2016 – December 31, 2016. Motion passed.

D. Assessors Warrant – Piscataquis County Tax 2017

Resolution #113-012317

MOTION: D'Agostino, seconded: Taylor, and voted unanimously (7-0) to approve and sign the Assessors Warrant for the 2017 Piscataquis County Tax. Motion passed.

Select Board member Cindy Freeman Cyr asked if the board wished to sign the document related to the uncollected balances pertaining to the 919 West Main Street property based on the board's previous discussion as to whether there is recourse for collection aside from the auto foreclosure process.

Select Board Chair Elwood Ederly entertained a motion to reconsider the earlier vote to deem the listed balances as uncollectable.

Resolution #114-012317

MOTION: Conroy, seconded: D'Agostino, and voted unanimously (7-0) to reconsider Resolution #109-012317 pertaining to accounts deemed as uncollectable. Motion passed.

Resolution #115-012317

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (7-0) in reconsideration of Resolution #109-012317, to table any action on the 919 West Main Street property and leave the action in place regarding the other parcels. Motion passed.

E. Town Manager's Report

Town Manager, Jack Clukey, reported on the following:

The application to join the AARP Network of Age Friendly Communities was approved.

PCEDC is working with Spruce Mill Farm on a CDBG Grant application. The town will be sending in a letter of interest to submit an application (due April). Between now and April, Chris Winstead and the business will come in and discuss their application with us.

The town representative on the Board of Directors for the DFAFC, Paul Matulis, has stepped down. DFAFC has invited the town to appoint a new representative. Jane Conroy agreed to serve as the town representative on the DFAFC Board of Directors

The Piscataquis County Law Enforcement Task Force will hold its first meeting tomorrow afternoon from 4 – 6 PM in the Commissioners Chambers.

The land use ordinance committee will meet this Wednesday, January 25th, here at 6:30 PM.

Enclosed in Correspondence is a draft Ordinance prohibiting retail marijuana establishments and retail marijuana social clubs. The planning board will meet on Thurs., Feb 2nd and this issue will be on their agenda.

The Select Board discussed some of the issues involving the recreational use of marijuana and where that would be permissible and not permissible. It was discussed that it is only legal to be used in a "nonpublic place" and the legislature is proposing to change the language to "private place" and to extend the deadline for the state to establish regulations from 9 months to 12 months. Also, some of the past concerns were raised about the ability for residents to grow marijuana for medicinal purposes and the effort in this session of the legislature to clarify the law to establish that this activity can be regulated by municipalities like any other land use activity.

X. CORRESPONDENCE

- Draft Ordinance prohibiting retail marijuana establishments/retail marijuana social clubs
- Piscataquis County Commissioners 2017 Piscataquis County Budget
- RSU No. 68 Board of Directors Meeting Minutes, 120616 and 011017

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

Selectmen Grammont asked about recycling plastic pellet bags and if they would be recycled at the new Fiberright facility. Jack Clukey said that the entire waste stream would be processed at Fiberright but that the bags would not necessarily be separated from the waste stream. He said that some materials can be added to our list of materials we can process but it ultimately depends on markets, storage space, the time the material might tie up a baler etc. and that Joe Sands could talk to us about the feasibility of adding plastic bags.

XII. EXECUTIVE SESSION

XIII. ADJOURN

Resolution #116-012317

MOTION: Taylor, seconded: D'Agostino, and voted unanimously (7-0) adjourn. Motion passed.

Respectfully submitted,
Town of Dover-Foxcroft Board of Selectmen

Elwood E. Edgerly, Chairman

Jane K. Conroy

Cynthia Freeman Cyr, Vice Chairman

Gail D'Agostino

Stephen G. Grammont

Scott A. Taylor

W. Ernie Thomas