

**BOARD OF SELECTMEN
TOWN OF DOVER-FOXCROFT
MONDAY, JUNE 19, 2017 ~ 6:30 PM
DOVER-FOXCROFT MUNICIPAL BUILDING
MEETING ROOM
MINUTES**

I. OPEN MEETING

- A. Opening Ceremonies
- B. Roll Call

II. CONSENT AGENDA

Treasurer Warrants

- 1. Payroll Warrant #72, #73, #77
- 2. Administrative Warrant #74, #78
- 3. Trust Fund Warrant #75
- 4. Wastewater Warrant #76
- 5. General/WW Warrant #M-03-17

Resolution #006-061917

MOTION: Thomas, seconded: Taylor, and voted unanimously (7-0) to approve the Consent Agenda. Motion passed.

III. APPROVAL OF MINUTES

- A. Board of Selectmen Meeting and Public Hearing - May 22, 2017

Resolution #007-061917

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to approve the minutes of the Board of Selectmen meeting and Public Hearing of May 22, 2017. Motion passed.

- B. Special Board of Selectmen Meeting – June 12, 2017

Resolution #008-061917

MOTION: Thomas, seconded: Freeman Cyr, and voted unanimously (7-0) to approve the minutes of the Special Board of Selectmen meeting of June 12, 2017. Motion passed.

IV. QUITCLAIM DEEDS

V. BOARD OF ASSESSORS/MUNICIPAL OFFICERS

VI. OPEN SESSION

A. Public Hearings

B. Open Session – Public

Irene Thomas asked for the Board's proposed resolution on the Foxcroft Center Road temporary ATV trail.

Jamie Gaudion said that it is the understanding of the residents that the ATV route on Foxcroft Center Road would be a temporary trail and not an established ATV route.

Sean Racila said that he understood that the temporary route was to end on October 31, 2017. Selectman Taylor said ATV routes are regularly closed on October 31st each year for the season.

Selectman Taylor said that next year if necessary, the ATV club would be seeking advice from the Board of Selectmen for an alternative route.

Vice Chairman Freeman Cyr said that the residents and neighbors of Foxcroft Center Road are seeking clarity that the temporary route will close on October 31st and that another temporary route would not be located on Foxcroft Center Road.

Jamie Gaudion said that as homeowners, residents are asking for assurance that after October 31st the temporary ATV route on Foxcroft Center Road would close.

Irene Thomas said that after two years of having a temporary ATV route on Foxcroft Center Road, she hopes that the ATV Club is making an effort in good faith to locate another route.

C. Open Session – Board of Selectmen

Selectman Thomas reported that there is an issue with a culvert and beaver dam near the Baird Property on Greeleys Landing Road. Town Manager Clukey said he can notify MDOT of the issue.

Vice Chairman Freeman Cyr asked if residents on Foxcroft Center Road had received a letter regarding the extension of the temporary ATV route for a second year.

Town Manager Clukey said that letters were sent before the initial route was established last year, but that no letters were sent regarding extending the temporary portion of the route through 2017.

Selectman Grammont asked if MDOT was still planning on construction on Route 7 in 2017. Town Manager, Jack Clukey, said that the work planned for Route 7 has already been moved to the 2018 construction season.

Chairman Edgerly asked for examples of what residents find objectionable to having ATV routes near their property.

Irene Thomas and Jamie Gaudion agreed that noise, especially with large groups going by, is the biggest issue and also safety.

Selectman Grammont described the impact of traffic with the temporary ATV route as well as noise to be bothersome.

Selectman D'Agostino was concerned that there was glass and debris from a recent accident at the end of the road that hadn't been cleaned. Jamie Gaudion said that it had been cleaned the morning of the accident by 10 AM.

D. Adjustments to the Agenda

Added: New Business – I. Pats Pizza Liquor License Request by Robert Ade – Whoopie Pie Festival.

Added: Executive Session – Inability to Pay and Economic Development

VII. COMMITTEE REPORTS

The Town Manager reported that the promotion & development committee met on 06/12/17 to discuss ATV routes.

The Town Manager reported that the public works committee met on 06/15/17 regarding the new plow truck and equipment bids.

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

A. Liquor License Renewal Application - Moon Hing Restaurant

Resolution #009-061917

MOTION: Taylor, seconded: Conroy, and voted unanimously (7-0) to approve the liquor license renewal application for Moon Hing Restaurant, West Main Street, Dover-Foxcroft. Motion passed.

B. Board of Appeals Appointment

Resolution #010-061917

MOTION: Taylor, seconded: Conroy, and voted unanimously (7-0) to appoint Johanna Danforth Greenfield to the Board of Appeals to complete a vacant term to expire June 30, 2017. Motion passed.

C. ATV Route – Foxcroft Center Road

Resolution #011-061917

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to allow the temporary ATV route as established in 2016 to continue through the end of the October 31, 2017 season; and that in 2018 the ATV Club will utilize an alternative route in lieu of the section from Landfill Road to the Racila property on Foxcroft Center Road. Motion passed.

Vice Chairman Freeman Cyr said that the safety component of ATVs was discussed at a committee meeting.

Vice Chairman Freeman Cyr also said that the promotion and development and recreation committees should come together with the community for a larger conversation regarding ATV use on public ways.

D. Public Works Department Plow Truck and Equipment Bids

The Board discussed the summary of bids received for the plow truck and equipment for Public Works. The Town Manager said that the public works committee recommends the truck bid from Daigle and Houghton for the Western Star and the equipment bid from Viking, Option #2.

Resolution #012-061917

MOTION: D'Agostino, seconded: Taylor, and voted unanimously (7-0) to approve the bid from Daigle and Houghton for the Western Star plow truck in the amount of \$113,900.00. Motion passed.

Resolution #013-061917

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (7-0) to approve the purchase of the extended warranty on the Western Star plow truck for \$2,450.00. Motion passed.

Resolution #014-061917

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (7-0) to approve the bid from Viking for public works truck bodies and plow equipment in the amount of \$177,331.00. Motion passed.

E. Police Department Cruiser Bid

Resolution #015-061917

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to approve the bid received from Eric Hunter of Newport in the amount of \$250.00 for the 2009 Crown Victoria Police Cruiser. Motion passed.

F. Orders of Municipal Officers

1. Payments applied to oldest taxes due/Payments Applied to Outstanding Taxes

Resolution #016-061917

MOTION: Conroy, seconded: Taylor, and voted unanimously (7-0) that In Accordance with MRSA Title 36, Subsection 905, the Board of Selectmen authorizes the Town Treasurer to withhold money due to a taxpayer from the Town if that taxpayer owes past due taxes. This money to be applied toward the oldest taxes due plus lien cost and interest. The Treasurer will give a copy of the receipt to the taxpayer. And;

Upon request of the Tax Collector and Treasurer of said Town, hereby authorize and direct said Tax Collector and Treasurer, pursuant to Title 36, Maine Revised Statutes Annotated, Section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill, provided, however, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Motion passed.

2. Representation in the Prosecution and Settlement of Land Use Law Violations

Resolution #017-061917

MOTION: D'Agostino, seconded: Taylor, and voted unanimously (7-0) to Authorize Connie Sands, CEO, to represent Dover-Foxcroft in the prosecution and settlement of land use law violations pursuant to 38 M.R.S.A. Section 441, 30 A M.R.S.A. Section 4452, and 30 A M.R.S.A. Section 3221 for Fiscal Year 2017-2018. Motion passed.

3. Interest Rate on Past Due Taxes and Sewer Charges

Resolution #018-061917

MOTION: D'Agostino, seconded: Freeman Cyr, and voted unanimously (7-0) to set the interest rate on past due taxes and sewer charges for Fiscal Year 2017-2018 at 7% annually. Motion passed.

4. Interest Rate on Abated Taxes

Resolution #019-061917

MOTION: Freeman Cyr, seconded: Thomas, and voted unanimously (7-0) to set the interest rate on abated taxes for Fiscal Year 2017-2018 at 3% annually. Motion passed.

5. Prepayment of Taxes

Resolution #020-061917

MOTION: Thomas, seconded: Grammont, and voted unanimously (7-0) to authorize the tax collector or treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. 506 for Fiscal Year 2017-2018 . Motion passed.

Selectman Conroy asked that it be referred to a committee to consider an incentive for prepayment of taxes.

6. Sewer Assessment Due Dates

Resolution #021-061917

MOTION: Taylor, seconded: D'Agostino, and voted unanimously (7-0) to establish the sewer assessment due dates for January 30, 2018 for quarters ending June 30, 2017 and September 30, 2017 and establish June 29, 2018 for quarters ending December 31, 2017 and March 31, 2018. Motion passed.

7. Sewer Rate Schedule

It was noted that FY 17-18 sewer rates are proposed to remain unchanged from last year. Base rate - \$89.65 for 0 cf – 1200 cf; \$9.37 per 100 cf in excess of 1200 cf.

Resolution #022-061917

MOTION: Grammont, seconded: Conroy, and voted unanimously (7-0) to set the sewer rate schedule for FY 17-18 as follows: Base rate - \$89.65 for 0 cf – 1200 cf; \$9.37 per 100 cf in excess of 1200 cf. Motion passed.

G. Local Road Assistance Program Certification 2017-2018

Resolution #023-061917

MOTION: Grammont, seconded: Conroy, and voted unanimously (7-0) to authorize Town Manager, Jack Clukey, to sign the Local Roads Assistance Certification for 2017-2018. Motion passed.

H. Lease Agreement – Central Hall

Town Manager, Jack Clukey, said that the Dover-Foxcroft Historical Society deeded Central Hall back to the Town in April. He explained that the Maine Highlands Senior Center is applying for USDA funding for the sprinkler system and that the MHSC needs to either own or lease the property in order to be considered for the grant. Town Manager, Jack Clukey also noted that the lease requires that the terms are amended once the building rehabilitation is finished and being used for its intended purpose.

Resolution #024-061917

MOTION: Freeman Cyr, seconded: Conroy, and voted unanimously (7-0) to approve the lease agreement between the Town of Dover-Foxcroft and the Maine Highlands Senior Center for the Central Hall property. Motion passed.

I. Pats Pizza Liquor License Request for Whoopie Pie Festival

A request was received by Robert Ade of Pat's Pizza for bar and food sales service outside the premises for the Whoopie Pie Festival from 10:00 AM until 5:00 PM on Saturday, June 24, 2017.

Resolution #025-061917

MOTION: Thomas, seconded: Conroy, to approve the request submitted by Robert Ade for Pat's Pizza to give permission for food and bar sales outside the premises in a designated area on June 24, 2017 from 10:00 AM until 5:00 PM for the Whoopie Pie Festival.

Withdrawn by Thomas.

Resolution #026-061917

MOTION: Thomas, seconded: Grammont, and voted, (6-1) to permit Pat's Pizza for food and bar sales outside the premises according to the diagram submitted and per guidelines of the Maine Division of Liquor Licensing and Enforcement and within the limitations of the applicant's current liquor license, but not earlier than 10:00 AM and not later than 5:00 PM for the Whoopie Pie Festival on June 24, 2017. Opposed: D'Agostino, Motion passed.

J. Town Manager's Report

Town Manager, Jack Clukey, reported the following:

The Pleasant Street retaining wall project is scheduled to begin on Wednesday, July 5th and be completed by Friday, July 14.

At the next meeting on July 10th, paving bids are expected for the 2017 paving work.

At the July 10th meeting, the proposed 2017-2018 tax commitment will be presented. It is expected that tax bills will be mailed before the end of the month. The first half payment would be due in late September.

Enclosed in Correspondence is the vote tally for the articles and candidates on the June 13th ballot.

The Whoopie Pie Festival is Saturday, June 24th from 10:00 AM – 4:00 PM.

X. CORRESPONDENCE

- From: Jaime Gaudion, Re: ATV Routes, 05/30/17
- RSU No. 68 Board of Directors Meeting Minutes, 5/23/17 & 5/30/17
- Election Results, 06/13/17

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

Selectman Conroy said that there will be an RSU No. 68 Community Input /Strategic Plan Meeting on Monday, June 26th at 6:30 PM.

XII. EXECUTIVE SESSION

A. Abatement Application Inability to Pay

Resolution #027-061917

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to go into Executive Session per 36 MRSA §841(2)(e) to discuss an abatement application due to inability to pay. Motion passed.

Resolution #028-061917

MOTION: Conroy, seconded: Taylor, and voted unanimously (7-0) to come out of Executive Session. Motion passed.

B. Economic Development

Resolution #029-061917

MOTION: Conroy, seconded: D'Agostino and voted unanimously (7-0) to go into Executive Session per 1 MRSA §405(6)(d) to discuss economic development. Motion passed.

Resolution #030-061917

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to come out of Executive Session. Motion passed.

XIII. ADJOURN

Resolution #031-061917

MOTION: D'Agostino, seconded: Conroy, and voted unanimously (7-0) to adjourn at 8:25 PM. Motion passed.