I. OPEN MEETING
   A. Opening Ceremonies
      Vice Chairman Freeman Cyr opened the meeting at 6:30 PM and led the Pledge of Allegiance.

   B. Roll Call

II. CONSENT AGENDA
   Treasurer Warrants
      Administrative Warrant #24

      Resolution #104-102218
      MOTION: Conroy, Seconded: Thomas, and voted unanimously (5-0) to approve the Consent Agenda. Motion passed.

III. APPROVAL OF MINUTES
   Board of Selectmen Meeting – October 9, 2018
   Resolution #105-102218
   MOTION: Thomas, Seconded: Taylor, and voted unanimously (5-0) to approve the minutes of the Regular Board of Selectmen Meeting of October 9, 2018. Motion passed.

IV. QUITCLAIM DEEDS
V. BOARD OF ASSESSORS/MUNICIPAL OFFICERS
   Abatements/Supplements
      Town Manager Clukey said that the assessing committee met with the Assessor’s Agent to review the abatement and supplement applications. He said that the abatements and supplements were due to error corrections and valuation updates.

      Resolution #106-102218
      MOTION: Conroy, Seconded: Taylor, and voted unanimously (5-0) to approve the recommendations of the assessing committee for the abatements and supplements as submitted by the Assessor’s Agent. Motion passed.
VI. OPEN SESSION

A. Public Hearings

Town of Dover-Foxcroft Special Town Meeting Referendum Ballot – November 6, 2018

Vice Chairman Freeman Cyr opened the public hearing at 6:35 PM. Town Manager, Jack Clukey explained that this is a required public hearing on the final ballot. He said that sample ballots and full text of the proposed ordinances are available to the public and will be available at the election. Gwen Hilton, Consultant, gave a brief overview on the proposed land use articles that will appear on the ballot stating that much of the proposed ordinances pertain to regulation and licensing.

Carole Boothroyd asked what regulation was in place to monitor leaking fossil fuels in construction projects.

Gwen Hilton said that there is an emergency response plan built into the proposed Land Use Ordinance to address and remediate an incident of leaking fossil fuels.

Nicholas Calderone said there could be a substantial amount of damage with such an incident.

Selectman Grammont said that worst case scenarios were taken into account in the licensing requirements when addressing environmental liability issues in the proposed ordinances. He also said that ongoing monitoring of mega projects is a requirement in the licensing process.

Eric Boothroyd asked if the proposed ordinances pertaining to mega projects are not passed, would the town consider these types of projects or would they not be permitted. Mr. Boothroyd also asked about eminent domain.

Gwen Hilton said that if the proposed ordinances do not pass, any project would still need to meet state requirements, but in passing the proposed ordinances, the town would have a strong legal standing in licensing are regulatory requirements.

Selectman Grammont added that the way the law is written, mega projects could be permitted as the law does not speak to some aspects of the permitting process.

Selectman Grammont also said that it is more likely that mega projects are done privately or publicly/privately and that eminent domain is unlikely.

Carole Boothroyd asked if the proposed ordinances include stricter requirements than that of the State and asked whether the State could override the town ordinances.

Selectman Grammont said that the proposed ordinances are defensible in court and that an entity could not proceed with a project without having all permits and meeting all requirements and also that other towns included in the projects would need to permit a mega project before Dover-Foxcroft would grant a permit for a proposed project.

Nicholas Calderone read a prewritten statement that is attached and included as part of the official meeting minutes. The letter commended the land use ordinance committee for their work on the proposed ordinances, but asked the public not to pass the proposed land use ordinances as they are open to interpretation and feels that the ordinances remove the public from the final decision. He said it is unwise to exclude residents from making the final decision in the process. He said the proposed ordinances should be amended to include language that allows the citizens to have a final vote on whether a project can move forward and it should require a majority vote.
Vice Chairman Freeman Cyr asked Mr. Calderone if he shared his suggestions with the planning board during the time they were working on the proposed ordinances.

Mr. Calderone said that he has attended planning board meetings and made suggestions, but feels that for a substantial mega project the decision making should be made by the people.

Selectman Stephen Grammont said that such an ordinance or requirement wouldn’t stand up in court as it wouldn’t be legal. He said that basic principles of government are that if you meet the set requirements, you cannot be discriminated against.

Peter Brenc said that the vote of the people on whether or not a company can complete a mega project should be on record and “hold water”. He said the public should have a say.

Selectman Grammont said that there is a difference between expressing an opinion and overturning a regulatory decision. He said that a mega project takes years to regulate and process.

Peter Brenc said that the people on the planning board today may have a different opinion than the people who serve on the planning board during a different time. He expressed concern for planning board members being threatened or bribed and said there are examples of this happening on projects involving corporations and large amounts of money.

Vice Chairman Freeman Cyr said that the work of the committee should be trusted.

Peter Brenc said that the people should have veto power over a proposed project.

Richard Dyer asked who determines high water marks.

Gwen Hilton said that State Statute is specific on high water markings and that Connie Sands, Code Enforcement Officer makes the determination for Dover-Foxcroft.

Richard Dyer expressed that there should be changes to how high water marks are determined.

Selectman Grammont said that Shoreland Zoning Laws override town ordinances.

Carole Boothroyd asked about zoning districts.

Gwen Hilton discussed the changes to zoning and reviewed the zoning maps and land uses.

The hearing was closed at 7:10 PM.
B. Open Session – Public
Gary Young, Shore Road South resident, read a written statement that is attached and included as part of the minutes of this meeting. The letter was in reference to Mr. Young’s closing part of Shore Road South of which his father is property owner of record. His statement summarized the reasons for the closure and he asked the town for any assistance it could provide.

Marie Vienneau, President & CEO, Mayo Regional Hospital- Update on Mayo Regional Hospital and EMHS

Marie Vienneau was present along with other representatives of Mayo Regional Hospital and discussed the progress of Mayo Hospital merging with Eastern Maine Health Systems (EMHS). She explained that Mayo Regional Hospital’s financial losses are not sustainable and that its future success depends upon aligning with an integrated healthcare system.

Vice Chairman Freeman Cyr said that the community appreciates the work involved in the strategic planning involved in such a collaboration, but said it feels like a difficult loss for the community.

Marie Vienneau explained that the hospital would still maintain a local board of directors and would still maintain some local control of hospital operations.

The timeline of the proposed merger was also discussed and it was noted by Ms. Vienneau that the Board still has yet to accept an agreement.

Brian Mullis talked about Mayo Ambulance Service and shared that the ambulance service has also successfully collaborated with other services.

Board of Selectmen members discussed what savings could be gained in a merger and that if the merger does take place, this would be the 10th such merger in the State.

Planning for an upcoming educational presentation for the public was discussed.

C. Open Session – Board of Selectmen
Selectman Grammont complimented the new street lights.

D. Adjustments to the Agenda
The Town Manager added New Business, F. Fair Hearing Authority

VII. COMMITTEE REPORTS
Assessing/Admin, 10/15/18 – Town Manager, Jack Clukey reported that the assessing committee met with Assessor’s Agent, Alan Gove to review and make recommendations on the abatement and supplement applications.

VIII. UNFINISHED BUSINESS
IX. NEW BUSINESS

A. Automobile Graveyard Renewal Permits
   1. Scooters, Inc., Permit #01-18-19
      Resolution #107-102218
      MOTION: Taylor, Seconded: Conroy, and voted unanimously (5-0) to approve the renewal application for Scooters, Inc. 180 Summer St, Automobile Graveyard Permit #01-18-19 to expire on October 31, 2019. Motion passed.
   2. Racila Permit #02-18-19
      Resolution #108-102218
      MOTION: Taylor, Seconded: Conroy, and voted unanimously (5-0) to approve the renewal application for Shawn Racila, 222 Foxcroft Center Rd., Automobile Graveyard Permit #02-18-19 to expire on October 31, 2019 with the stipulation that there are no changes to the current footprint. Motion passed.

B. Tax Acquired Property Bids
   The Board reviewed and discussed the bids received on the tax acquired properties listed below. The Board discussed that the past due amounts for taxes and sewer were higher than the bids received on the properties. The condition of the properties were considered against the past due amounts. The Town Manager talked about the intended use for the properties located at 93 North Street and 594 Vaughn Road and that the bidders for both properties listed the intention to remove existing structures and rebuilding. The Board discussed whether an enforceable action could be included in awarding the bids for assurance that a new structure would be built at the properties.

   1. 919 West Main St. building/land .25 +/-acre (Map 37, Lot 45)
      There were no bids received for the tax acquired property located at 919 West Main Street, Dover-Foxcroft.

   2. 93 North St – building/land .45 acre +/- (Map 32, Lot 39)
      Resolution #109-102218
      MOTION: Grammont, Seconded: Conroy, and voted unanimously (5-0) to award the high bid for 93 North Street, Dover-Foxcroft to Bruce and Sonya Blackler for $1,100.00 and to authorize the Town Manager to seek an inclusion with assurance that a new structure would be placed at the property. Motion passed.

   3. 594 Vaughn Rd. - building/land .75 acre+/- (Map 43, Lot 9)
      Resolution #110-102218
      MOTION: Taylor, Seconded: Conroy, and voted unanimously (5-0) to award the high bid for 594 Vaughn Road, Dover-Foxcroft to 564 Properties, LLC for $8,000.00 and to authorize the Town Manager to seek to include within the closing documents an assurance that the existing structure would be removed and that a new structure would be placed at the property. Motion passed.
C. Certification of Text of a Proposed Ordinance

1. Town of Dover-Foxcroft Land Use Ordinance
   Resolution #111-102218
   MOTION: Conroy, Seconded: Thomas, and voted unanimously (5-0) to certify the text of the proposed ordinance entitled, “Town of Dover-Foxcroft Land Use Ordinance” for the November 6, 2018 Town of Dover-Foxcroft Special Town Meeting Referendum Election. Motion passed.

2. Town of Dover-Foxcroft Land Use Ordinance pertaining to Mega Projects: Transportation Corridors
   Resolution #112-102218
   MOTION: Taylor, Seconded: Grammont, and voted unanimously (5-0) to certify the text of the proposed ordinance entitled, “Town of Dover-Foxcroft Land Use Ordinance pertaining to Mega Projects: Transportation Corridors” for the November 6, 2018 Town of Dover-Foxcroft Special Town Meeting Referendum Election. Motion passed.

3. Town of Dover-Foxcroft Land Use Ordinance pertaining to Mega Projects: Large-Scale Water Extraction
   Resolution #113-102218
   MOTION: Taylor, Seconded: Grammont, and voted unanimously (5-0) to certify the text of the proposed ordinance entitled, “Town of Dover-Foxcroft Land Use Ordinance pertaining to Mega Projects: Large-Scale Water Extraction” for the November 6, 2018 Town of Dover-Foxcroft Special Town Meeting Referendum Election. Motion passed.

D. Sewer Billing 2019 – 2nd Quarter
   Resolution #114-102218

E. December 2018 Meeting Date Sewer Billing 2019 2nd Quarter
   Resolution #115-102218
   MOTION: Conroy, Seconded: Thomas, and voted unanimously (5-0) to set the December meeting date for Monday, December 17, 2018. Motion passed.

F. Fair Hearing Authority
Town Manager Clukey said that upon receiving notice of hearing for general assistance, the Board is asked to designate three members to the Fair Hearing Authority that was established in June, 2018. The hearing was set for Monday, October 29, 2018 at 5:00 PM. Selectmen Conroy, Grammont, and Taylor were designated to serve as the Fair Hearing Authority for Monday, October 29, 2018.

G. Town Manager’s Report
Town Manager, Jack Clukey gave the following report:
Enclosed in Correspondence is a letter from town resident, Scott Wellman regarding the proposed merger between HAD #4 and EMHS.

Enclosed in Correspondence is a letter from RSU No. 68 expressing interest in the property the town acquired through tax foreclosure (formerly the Smith property) at the end of Harrison Avenue, approximately 1.25 acres.

The polls will open on Tuesday, November 6th at 8 AM and close at 8 PM. The last day to vote absentee is Thursday, November 1st. Absentee ballots can be returned up until the polls close on Election Day.

X. CORRESPONDENCE
-From: Scott Wellman, Re: HAD #4 Proposed Merger with EMHS, 10/11/18
-From: RSU No. 68, Re: 101 Harrison Ave., 10/10/18
-From: RSU No. 68, Board of Directors Meeting Minutes, 10/02/18
-MRC Newsletter, October 2018
-Sample Ballots

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

XII. EXECUTIVE SESSION

ADJOURN
Resolution #116-102218
MOTION: Conroy, Seconded: Thomas, and voted unanimously (5-0) to adjourn at 8:25 PM. Motion passed.