

## MINUTES OF MEETING

Town of Dixfield

Board of Selectmen/Assessors/Overseers of the Poor

Monday, September 27, 2010

5:00 p.m., Ludden Memorial Library

**Board Members Present:** Bettina M. Martin (Chair), Norine H. Clarke, Katherine N. Harvey, Malcolm M. Gill and Stephen G. Donahue

**Board Members Absent:**

**Administration Present:** Eugene R. Skibitsky (Town Manager), Charlotte M. Collins (Minutes), David Phair (Public Works), Police Chief Pickett, Fire Chief Dennett

**Press Present:** Eileen Adams

**Citizens Present:** Freemont Tibbetts, Danny McKay, Tom Childs, a Byron Resident

1. **Call to Order:** Chair Martin called the meeting to order at 5:00 p.m.
2. **Approval of Minutes:** Mr. Gill and Mrs. Clarke suggested that the minutes be approved at the next regular meeting of the Board as the following corrections needed to be made:

### **CORRECTION TO MINUTES OF 9/13/2010**

**Page #4, ¶4:**

**Wind Energy Facility Ordinance Ballot:** Mrs. Clarke moved to **NOT** include the Wind Energy Facility Ordinance on a November 2, 2010 ballot as she wanted the townspeople to have input before it went to a vote. The motion died for lack of a second.

There was further discussion from the Board regarding the Wind Energy Facility Ordinance on the November 2, 2010 ballot. Mrs. Clarke stated that last year the townspeople were told that they would have a chance to make suggestions to the ordinance. She felt that she could not condone this action if taken.

Mr. Gill moved, Ms. Martin seconded, to place the Wind Energy Facility Ordinance on the November 2, 2010 ballot.

Mrs. Clarke felt that she must resign if the ballot went before the voters without citizen input prior to voting. Ms. Martin stated that this was a form of blackmail and was inappropriate to place this stipulation on the Board. She stated that there would be the largest turnout at the

November 2, 2010 elections. By waiting until December or later, very few people would be voting. The Board voted as follows:

Mr. Gill	Yea
Mrs. Harvey	Yea
Ms. Martin	Yea
Mrs. Clarke	Nay
Mr. Donahue	Absent from Meeting

The motion was approved. These corrections will be approved/disapproved at the next regular meeting of the Board of Selectmen on Monday, October 11, 2010.

3. **Approval of Warrants and Payroll:** On a motion from Mrs. Harvey and a second from Mr. Gill, the Board voted unanimously to approve the warrants and payroll as listed on the agenda.

4. **Department Head Reports:**

a. **Police Department – Chief Pickett:**

- The Police Department has four (4) old cell phones (with chargers) that they are no longer using. The Chief requested permission to donate them to “Cell Phones for Soldiers.” Mrs. Brann will collect them and send them on to the appropriate address. On a motion from Mrs. Clarke and a second from Mrs. Harvey, the Board voted unanimously to approve the donation.
- The recent “Take Back” initiative that collected out-dated prescription drugs by police departments throughout Maine was a big success. Maine was the 13<sup>th</sup> highest state in recovery of those participating. 7,820 pounds of drugs (nearly 4 tons) were collected and disposed of in an incinerator in Massachusetts.
- Sgt. Jeff Howe was very instrumental and headed up the team that recently eradicated a 16-plant crop of hybrid marijuana. The department continues to receive many tips regarding the illegal growth of this plant throughout the area.
- The various summer police grants that the department received were very successful with their targets. From OUI details to speed enforcement, the money received was well spent and proved very successful in the apprehension of various criminal activities.
- Sgt. Howe was also very instrumental in saving a life when he was called to assist a potential tragedy in a neighboring community. His quick response and cool manner helped in avoiding a family loss.
- Presented the Police Department Report for August with no question from the Board
- Requested permission from the Board to begin gathering information and prices on a new police cruiser. The Police Cruiser Reserve Fund will pay for the purchase. On a motion from Mr. Gill and a second from Mrs. Harvey, the Board voted unanimously, giving permission to the Chief for his above request.

b. **Fire Department – Chief Dennett:** Chief Dennett requested guidance from the Board in the disposition of the old Fire Department 100’ Ladder Truck #1. He stated that any income received would be placed back into the Fire Truck Reserve Fund. The Fire

Department does not have the ability to “house” the truck, and it also has little functional value. On a motion from Mrs. Harvey and a second from Mrs. Clarke, the Board voted unanimously to place the truck out for bid with all proceeds going back to the Reserve Fund. The Fire Chief will advertise where he thinks best.

**Public Comment:** None

**5. Old Business:**

a. **Teamsters Local #340 Union Contract:** The Town Manager asked for a vote to approve the contract. The Selectmen thought the vote was previously taken, so no vote was necessary. They signed the town’s copy and the union’s copy of the contract.

b. **Toro Mower – David Phair, Public Works:**

- Mr. Phair sought permission to sell the town’s Toro mower for cash. He already had permission to trade for a Walker on a previous motion.

Mr. Phair stated that he had received a cash offer of \$2,500 but no funds have been received to date. Mrs. Clarke moved to amend the previous motion (at an earlier meeting where he was authorized to trade the Toro) to allow a reasonable cash offer instead of a trade if the option should arise and to acquire a replacement mower. Mrs. Harvey seconded the motion which was unanimously approved.

- Mr. Phair stated that the ME DOT had begun work on road shoulders on Route 142 (Weld Street) that had been originally scheduled for 2011. This will impact the town’s Public Works Department Budget as raising sidewalks, dealing with water runoffs and catch basins will be affected by the project. Funds have not been raised to deal the project this year, and the ME DOT did not notify the town.

The Board directed Mr. Phair to write up specs to rebuild the sidewalks. On a motion from Mr. Gill and a second from Mr. Donahue, the Board voted unanimously to send out to bid the sidewalk projects.

- Mr. Phair suggested to the Board that the pavilion at McGouldrick Park could be put to better use if he boarded in the sides and used it for storage of various grounds equipment. Board members felt that due to security reasons, this might not be a feasible project. They suggested purchasing a portable garage for use at the town garage or possibly building a lean-to behind the town garage. The Chair directed Mr. Phair to check out a few options and return to the Board at a later date.

c. **East Dixfield Fire Dept. Meeting:** The Board was reminded to meet Monday evening, October 18, 2010, at 5:00 p.m. at the East Dixfield Fire Station to discuss plans for the joint purchase of the East Dixfield Fire Truck.

**6. New Business:**

a. **Open Fuel Bids:** The results are as follows:

## Town of Dixfield Fuel Bids – September 27, 2010

Company	Gas	Diesel	Heating Oil	Propane
Community Energy 299 Spruce Street Rumford, ME 04276 364-3719	.1200	.1200	.1675	.3000
	<b>Over Rack Prices</b>			
Dead River Co. 33 Prospect Avenue Rumford, ME 04276 364-3751	\$2.179	\$2.929	\$2.619	\$1.899
	<b>Fixed Prices</b>			
Dixfield Discount Fuel 1180 Route 2 Rumford, ME 04276 562-8014				
	<b>No Bid</b>			
Hometown Energy Co. 90 Weld Street Dixfield, ME 04224				
	<b>\$.17 Over Rack Prices</b>			
Ripley & Fletcher Heating Oil Route 108 Rumford, ME 04276 364-4661				
	<b>No Bid</b>			
C.N. Brown Co. PO Box 200 So. Paris, ME 04281			\$2.4656 Net 30 \$2.4163 Net 15	<b>Fixed Prices</b>
	\$.095 Plus Rack Price			
Wookstock Oil Co. 7 So. Main St. Bryant Pond, ME 04219 665-2606				
	<b>No Bid</b>			

**Propane Bid Awarded to:** Dead River Co. on a motion from Mr. Donahue, seconded by Mrs. Harvey. Vote unanimously approved.

**Gas, Diesel, Heating Bid Awarded to:** C.N. Brown on a motion from Mrs. Clarke, seconded by Mrs. Harvey. Vote Unanimously approved.

b. **Draft FY2010 Audit:** The Town Manager presented the Draft FY2010 Audit from Ron H.R. Smith & Co. to the Board of Selectmen and highlighted the following:

- The town had no deficiencies, and there were no instances of non-compliance
- It was a good, clean audit
- The town has maintained a very healthy fund balance from \$702,000 to \$842,000, of which \$100,000 will be used to lower the 2010/11 tax rate

The auditor is willing to meet with the Board if they choose to do so; however, members felt no need. On a motion from Mr. Gill and a second from Mrs. Harvey, the Board unanimously accepted the June 30, 2010 audit as presented.

c. **Park Avenue Right-of-Way:** The town owns a particular piece of property designated as a right-of-way that lies behind several house lots located on Park Avenue. This was deeded to the town from the Langervin family and gave access to the Harlow Park property. It was originally used as an old pasture lane. The Fire Chief said that he wasn't sure, but there might be drainage pipes located in that area. As the lines are not clearly marked, the Board felt that they could not sell or deed any of the property to any landowners that bordered it. The Town Manager will contact the property owner and explain the problem.

## 7. **Town Manager's Report:**

a. **Rover Road:** Property owners located on the Rover Road near Rollins Ridge Road requested help in maintaining a bridge located on Rover Road. The Town Manager explained to the property owner and the Board of Selectmen that this road was closed years ago and is not an accepted road by the town to maintain.

b. **MMA Voting Forms:** On a motion from Mrs. Harvey and a second from Mr. Gill, the Board voted unanimously for the Town Manager to represent Dixfield at the Maine Municipal Association's convention in October with all voting privileges. He will sign all forms and send to MMA.

c. **Dixfield Administrative Sewer Committee:** The Town Manager reminded the Board of the upcoming meeting with the Mexico Sewer District scheduled for Wednesday, October 6, 2010, at 5:15 p.m. at the Mexico Town Office. The committee previously chosen consists of Chair Martin, Mrs. Clarke and Mrs. Harvey.

d. **Alternate Planning Board Members:** On a motion from Mrs. Clarke and a second from Mrs. Harvey, the Board voted unanimously to approve Thomas Child as the Planning Board Alternate through June 30, 2011.

e. **Wind Meeting:** The Town Manager reminded the Board of an area Wind Power meeting that was being held in Rumford on Wednesday, September 29, 2010, from 6-9 p.m., Muskie Auditorium.

f. **Refinancing of Town Water Bond:** Bonds will be awarded on October 14, 2010 at 11:00 a.m.

**Public Comments:** None

**8. Board Questions/Comments:**

**Mrs. Harvey:** Mrs. Harvey complimented the Town Manager on the great presentation he gave about the Town of Dixfield last week when meeting with Standard & Poor's in Boston regarding the town's credit rating and risk evaluation. His professionalism spoke so well of our community and research of the town's financial background was a great help throughout the process.

Mrs. Harvey requested documentation that describes the delineation of powers between the Planning Board and Board of Selectmen, especially regarding the Comprehensive Planning Committee. The Town Manager will do the research and report at a future meeting.

**Mr. Gill:** Mr. Gill reported on the nice trip he and the Town Manager made up the mountain to "Times Square" and the "Sheet Stone Quarry" area that lie near the proposed Patriots Renewables Wind Power Project. They had a great time, and the trip was very helpful to the Town Manager.

**Mrs. Clarke:** Mrs. Clarke asked who would be attending the AVCOG Planning Day. The Town Manager will be one of the speakers regarding Wind Power Ordinances. Those attending will Town Manager Skibitsky, Norine Clarke, Malcolm Gill and Katherine Harvey.

**9. FYI:** So Noted.

**10. Next Meeting:** Tuesday, October 5, 2010, 5:00 p.m., Town Office (Special Meeting to open Road Bids)  
Monday, October 11, 2010, 5:00 p.m., Town Office (Regular Meeting)  
Monday, October 11, 2010, 5:00 p.m., Town Office (Public Hearing Comprehensive Plan)

**11. Adjournment:** On a motion from Mr. Gill and a second from Mrs. Harvey, the Board voted unanimously to adjourn at 6:45 p.m. and open the Citizen Petition Public Hearing.

**CITIZEN PETITION – PUBLIC HEARING**

Chair Martin opened the Public Hearing at 6:46 p.m. to hear comments regarding the Citizen Petition that will go before the voters as a ballot at the November 2, 2010 general elections. The ballot reads:

Are you in favor of zoning the areas along the Colonel Homan Mountain Ridge and Sugarloaf Mountain starting at the elevation of One Thousand (1,000') Feet above sea level and continuing to the highest points and prohibiting industrial and commercial development from taking place in these areas, with the exception of logging operations and the erection of communications towers?

Charlotte Collins stated that she felt that this ballot was in conflict with individual property rights of a few property owners and that these property owners were directly targeted because of the proposed Wind Power project by Patriot Renewables. She felt that without a town-wide zoning proposal, singling out individuals was wrong and wondered who would be targeted next.

Mr. Freemont Tibbetts became very upset with the remarks and does not want Wind Power on the surrounding mountains in the area. Ms. Collins stated again, that individual property rights were her main issue and for the town to decide by a petition ballot how people could reasonably use their property was in violation of their rights. Mr. Tibbetts tried to argue with Chief Pickett and then decided to leave the meeting.

Chief Pickett felt that the wording on the ballot was confusing by not defining the use of the words “commercial” and “industrial” and by limiting the use to logging and communication towers as they could possibly be classified as commercial.

Mr. Dan McKay stated that 277 citizens had signed the petition for the banning of Wind Power on these mountains and had the right to do so. Mr. Tom Childs stated that the 277 citizens on the petition did not speak for him or many others in the community just by signing the petition.

Mr. David Harvey of the Dixfield Planning Board commented that the petition was not worded well and that if it passed, it would be the beginning of the town’s zoning efforts. He was not in favor of it from a Planning Board perspective.

The Public Hearing came to an end at 7:30 p.m. as no further comments were made.

Respectfully submitted,

Charlotte M. Collins  
Secretary/Deputy Treasurer

/cmc - attachments