

**TOWN OF DIXFIELD  
MEETING MINUTES  
MONDAY, JANUARY 25, 2016 – 5:30 PM  
LUDDEN MEMORIAL LIBRARY**

**Present:** Board of Selectmen, Hart Daley, Malcolm Gill, Dana Whittemore, and Eugene Skibitsky, Norman Mitchell .

Town Employees present: Town Manager Carlo Puiia, Randy Glover, Leo Jolin and Fire Chief Scott Dennett.

Citizens present: Mrs. Mitchell, Dan McKay, Rick Davis, Peter Holman, Royal Swan, Aaron Jamison, Grayson Child, Tom Childs and note taker Norine Clarke.

Non- Citizens: none

Press present: Matthew Daigle, Sun Journal, WVACTv

**1. Call to Order: Pledge of Allegiance**

Chair Daley opened the meeting at 5:30 pm with the Pledge of Allegiance.

**2. PUBLIC HEARING:** Chair Daley opened the Public Hearing for public comment on the extension of the Wind Energy Facility Moratorium Ordinance for an additional 180 days. Mr. McKay asked if the proposed ordinance was exactly as before in 2014 and was told yes. He also questioned the legality of the WEF Ordinance voted on in 2012. TM Puiia said it was legal but that the zoning portion was not enforceable. Chair Daley said that the Ordinance voted on in June of 2014 was legally correct. Mr. Daley asked if the MET towers were still up and was told no. Mr. McKay then asked if the information given by Lawyer Kelly at the June 6, 2014 Selectmen's meeting about the passage of a law which stated that the Wind Power companies did not have to give tangible benefits. Chair Daley said that the law did not pass. TM Puiia noted that this was the third renewal of the moratorium and pointed out Section 3 of the handouts. If the WEF Ordinance is defeated in June, the moratorium will remain in effect until August of 2016. If the Ordinance is passed in June, the moratorium ceases. There being no more questions, Chair Daley declared the Hearing over.

**3. Agenda Adjustments:**

- a. to item 5a add #68
- b. to 5b add #67
- c. to 10 add Hope Assoc. correspondence

**4. Minutes:** Mr. Skibitsky made a motion to accept the Minutes of Jan. 11, 2016 and Mr. Gill seconded the motion. The vote was 4-0 and one abstention from Mr. Mitchell who was not present at the meeting.

**5. Warrants:** Mr. Whittemore made a motion to accept the Warrants as adjusted and Mr. Mitchell seconded. All were in favor.

**6. Department Head Reports:**

- a. Public Works: Mr. Glover reported on the status of the gas tanks he hopes to remove

from the Town Garage. He called Roland Tyler and Gene Ellis and neither had any interest in them. Clint Bradbury has been the only one and Mr. Glover had presented a waiver form at the last Selectmen's meeting. TM Puiia said that he was still waiting to hear from the lawyer on the legality of the waiver offered by Mr. Bradbury. After discussion, Mr. Whittemore made a motion to allow Mr. Bradbury take the tanks if there is a legal waiver and let the TM sign for the Board. Mr. Skibitsky seconded the motion and all were in favor.

Mr. Glover's next concern was that the air compressor at the garage had shut down that morning. It is 30 years old, and has not been producing full power for some time. They managed to get it running but have no idea for how long. Quick research showed that a new one would cost between five and seven thousand dollars but more research should be done. TM Puiia will review the agreement with the school about whether the cost could be shared. There is money in the equipment reserves that would cover this. Mr. Gill moved to allow up to \$7000 be spent if necessary and Mr. Mitchell seconded. All were in favor. Mr. Skibitsky asked how long it took for the sidewalks on High and North to be cleared after the last storm and was told ½ hour.

## **7. Old Business:**

**a. Wind Energy Facility Ordinance:** Chair Daley said he would give his opinion on what should be done and then others could add theirs. He said that both attorneys that reviewed it said that it was vague. He feels the intent of the petitioners was to just change the decibel level to 42 night and 55 day. He feels it was not meant to include all 27 pages of the DEP document. He noted that according to Tom Carroll the only change needed was the decibel levels. The lower levels of 35 night and 42 day were voted down and while he is not supporting the higher level which he feels are too high for the proximity of the neighbors, he agrees that it should go before the people. Mr. Mitchell said that he agreed with Mr. Daley that the petitioners wanted the Planning Board Ordinance with new sound levels. Mr. Whittemore said he did not want to change the Ordinance. Mr. Daley said there would be public hearings. Mr. Gill said that he just wants the numbers changed because that is what the petitioners wanted. Mr. Skibitsky said he was not versed in what the other state changes should be and was not sure if Kristen Collins suggested changes. He felt that there should be public hearings scheduled early enough to make changes before the final version for the ballot. There should be time for two public hearings and to hear from Mike Rogers before the June vote. Mr. Skibitsky made a motion to substitute the state decibel levels of 42/55 into the Planning Board derived ordinance presented for vote in June 2015 and include two public hearings if needed...Mar. 3 at 6:00pm at the High School and one in the last week of March. Mr. Whittemore seconded the motion. In discussion, the selectmen agreed that if there were no issues at the first public hearing, they would not have a second. The Mike Rogers meeting of the Selectmen should be held at the High School also. Mr. McKay asked if the changes would be noted on the town website and was told yes. The vote was taken and all were in favor.

**b. Maine DOT Final Bill for Safe Routes to School Project.** TM Puiia said that the Town owes \$41,388.65 for which the town gets the plans. Mr. McKay asked if the information given to the town will include the “rights of way” and was told yes. Mr. Holman asked

how long these plans would be good for and Mr. Daley said probably forever except for the prices going up. Mr. Holman suggested perhaps it could be done in sections.

c. Appointment of CEO deferred to #15.

**8. New Business:**

a. Moratorium Ordinance: Mr. Mitchell made a motion to extend the WEF Moratorium and Mr. Whittemore seconded the motion. Vote was 3-2. Daley, Mitchell and Whittemore voted in favor and Gill and Skibitsky voted against.

b. 2016 Emergency Management Operations Plan Draft: TM Puiia distributed copies to the Selectmen for them to look through and Jay Bernard will come to the Feb 22 meeting for input.

c. TM Puiia presented the Budget Meeting Schedule and said that on Feb. 8, the Budget Manuals will be distributed to the Board. The first meeting would have been scheduled for President's Day Feb 15 and all agreed to hold that meeting on Tues. the 16<sup>th</sup>. TM Puiia will coordinate the meetings with the Finance Committee.

**9. Other Business:** None.

**10. Public Correspondence:** Copies of the correspondence were distributed to the Board.

a. Rumford-Mexico Sewerage Treatment Plant Assessment for 2016

b. Northern Oxford Regional Solid Waste Board Assessment for 2016

c. AVCOG municipal Assessment for Fiscal Year 2017

d. Western Maine Brain Injury Support Group will be held on Feb. 2, 2016 at 6:15 at 82 Congress St. It is sponsored by the Hope Association.

**11. Public Comment:** None

**12. Board Questions and Comments:** None

**13. FYI as on Agenda**

**14. Next Meeting as on Agenda**

**15. Executive Session:** Mr. Skibitsky made a motion to go into executive session pursuant to 1 MRS §405(6)(F) for discussion of Confidential Records at 6:36pm. Mr. Gill seconded the motion and all were in favor. Chair Daley declared the Board out of Executive Session at 6:55 pm. Motion by Mr. Skibitsky to support the nomination of Michael B. Moore of 567 Common Road in Dixfield as the Code Enforcement Officer, seconded by Mr. Whittemore. All were in favor.

**16. Adjournment:** Mr. Gill made a motion to adjourn at 6:58 pm. Seconded by Mr. Whittemore and all were in favor.

Respectfully submitted,

Norine H. Clarke, secretary

nhc/nhc