

Town of Dixfield - Board of Selectmen

Meeting Minutes

Monday, December 19th, 2016 - 5:30 pm

Ludden Memorial Library

Board of Selectmen: Norine Clarke, Aaron Jamison, Norman Mitchell, Hart Daley and Eugene Skibitsky

Town Employees: Town Manager Carlo Puiia

Town Citizens or Guests: Dan McKay, Susan Holmes, Peter Holman, Terri Mitchell, and Rick Davis

Media: Bruce Farrin, Rumford Falls Times; Kelsey Bevins, WVAC –TV7

1. Call to Order: Mrs. Clarke called the meeting to order at 5:30 p.m.

2. Agenda Adjustments: 3.a. Add Accounts Payable Warrant #54, and to 3.b. add Payroll Warrant #53

3. Approval of Minutes: Regular Meeting Minutes – November 14, 2016

Motioned by Mr. Skibitsky with amendments, and seconded by Mr. Jamison. The vote was 5 to 0.

4. Approval of Warrants and Payroll:

a. Accounts Payable Warrant #'s: 50, 52

b. Payroll Warrant #'s: 49, 51

c. Water/Sewer Warrant #'s: 29

Motioned by Mr. Daley to approve with the Agenda Adjustments, and it was seconded by Mr. Jamison. The vote was 5 to 0.

5. Department Head Reports:

a. Water: The 2017 Water Department Budget was presented by Jim White with Annual Revenues of \$370,104. He explained the income accounts and the variances. He also mentioned he budgeted to address a possible furnace issue at the water plant. He requested the unspent capital reserve of \$10, 800 be carried forward. Holmes Lane and River Lane needs an old galvanized main replaced. He also had information about replacing the department truck. The

Mexico Water District will be replacing theirs: a 2014 worth \$20,000 with approximately 32,000 miles. The Dixfield truck is a 2011 worth \$12,000 with approximately 60,000 miles. This can be considered prior to Mexico replacing their truck this summer. Note: see end of 5.b. for budget vote.

Mr. Skibitsky mentioned the possibility of combining the Sewer and Water books with the Municipal books. Accountant Ron Smith will need to address the concerns of Calendar versus Fiscal reporting, PUC requirements, etc.

*Note: Moved item 6.a. up ahead on agenda.

6. Old Business:

a. Sewer Contract with Ted Berry Company: Matt Timberlake of the Ted Berry Company presented his proposal for an Operating and Maintenance Contract for Dixfield's sewer lines and pump stations. His proposal included an amount of \$7,500 to assist the town with drafting a new sewer ordinance. Page 2 of Schedule A described the additional needs to accomplish producing a new sewer ordinance document, including workshops and public hearings.

Mr. Skibitsky emphasized this has been discussed for a number of years and needs to be addressed. He made sure Mr. Timberlake would be present at the public hearings to answer any questions regarding the new ordinance. Mr. Timberlake would add language to the agreement to that effect.

Mr. Skibitsky made a motion to approve the agreement with the Ted Berry Company including the additional funds to assist Dixfield in writing a new sewer ordinance. It was seconded by Mr. Daley, as he supports having the ordinance included in the contract based on the complexity of a sewer ordinance. The vote was 5 to 0.

5. Department Head Reports:

b. Sewer:

TM Puiia presented the 2017 Sewer Budget. Projected annual revenues are \$245,145 based on the Auditor's recommended increases last year. Expenses included a payment of \$16,000 toward a debt plan to repay the Town an amount of \$63,557. He explained a substantial increase in funding of the Replacement Reserve Account which would help the Town be prepared in the event there is a rupture or a failure in the sewer line that runs from Dixfield to the treatment plant in Mexico.

Mr. Jamison made a motion to approve the 2017 Sewer Budget with amendments. It was seconded by Mr. Daley. Vote was 5 to 0.

Under 5.a., the Board, believing that Mr. White had answered all their questions earlier, decided to revisit the Water Department Budget rather than wait until the next meeting. Mr. Skibitsky

made a motion to approve the 2017 Water Department Budget as presented. It was seconded by Mr. Mitchell. Vote was 4 to 1, with Mr. Jamison opposing.

6. Old Business:

b. Mexico Sewer District Contract:

TM Puiia explained the agreement between the Town of Dixfield and the Mexico Sewer District delegates the responsibility of maintenance for the sewer line that travels underground from the town line in Dixfield to the wastewater treatment plant located in Mexico. Dixfield is responsible for 100% of the line for approximately the first 2 miles, with the remaining distance to the facility shared with Mexico at 50% each.

TM Puiia provided a diagram of the line detailing Mexico customers who were connected in to the section of sewer line Dixfield is responsible for at 100%. Mr. Daley would like some language included about the Mexico sewer users' liability and responsibility for those who are connected in the section where Dixfield is responsible for 100 %.

Mr. Skibitsky believes we should also include some language regarding that Mexico should facilitate Dixfield in applying for loans in case of an emergency.

c. Wind Energy Ordinance:

Mrs. Clarke polled the Board members to hear their opinion on what they believed should be done regarding the path forward with the Wind Energy Ordinance.

Mr. Mitchell believes it should be placed in the hands of the Planning Board.

Mr. Jamison was undecided.

Mr. Daley supports it going back into the hands of the Planning Board as they have done a great deal of research, legwork and time on this already.

Mr. Skibitsky believes the Town has a valid ordinance. It should remain. If the developer wants to work with it, "they can come in."

Mrs. Clarke read a prepared statement recommending a joint effort by the Board of Selectmen and the Planning Board. In an effort to produce an ordinance both boards could recommend, her plan was to have regular weekly meetings that would avoid "misunderstandings and misrepresentations."

Mr. Mitchell did not support the recommendation as he felt the Selectmen would essentially write the ordinance. Mr. Daley was in agreement of the proposal, but to meet every other week.

Mr. Skibitsky believes the effort needs to be defined that the intent of the ordinance is to regulate wind farms, not to prevent wind farms from being built.

Mrs. Clarke stated the attorney had informed the Planning Board not to change the intent of the ordinance.

Mr. Jamison made a motion to send the Wind Energy Ordinance to the Planning Board with direction not to change the intent.

Mr. Daley explained he believed only the low frequency sound measurement in the Planning Board's version was objected to, and the remainder was a good ordinance. It was seconded by Mr. Daley.

Mrs. Clarke wants the Planning Board to review and compare the copies of the ordinances with the amendments made to both of them.

The vote was 3 to 2, with Mr. Skibitsky and Mrs. Clarke opposing.

7. New Business:

a. Discussion on Moratorium and/or Ordinance for Marijuana related businesses:

TM Puiia introduced the subject as it had been discussed before the November vote.

Mr. Daley explained what he had learned about the effects of legalization of marijuana in Colorado. We have approximately 9 months for the State to draft rules and regulations. Already, Maine's rules are more liberal including the allowance of Social Clubs that will allow on site consumption.

He believes there is a need for a moratorium for recreational sales and use, such as social clubs. He feels a moratorium should be put in place to protect the town.

Representative Pickett strongly supports Mr. Daley's suggestion until the legislature can complete their work.

Mr. Skibitsky wants to first see what the State does, and it is going to take them 9 months to do. Nothing can be built or started until the State licenses them.

The consensus was to table the item while the State works on their regulations.

8. Other Business:

The TM explained the need for a special election because the newly formed Regional School Unit needs representatives for a new School Board. The election will be held on Tuesday, January 24th at the American Legion. As it is a local election, the Town has the option to set the hours, unlike a state or federal election

Mr. Mitchell would like it to be the same as the November elections, from 8 am to 8 pm.

Mr. Mitchell made a motion to approve the polls be open from 8 am to 8 pm. It was seconded by Mr. Skibitsky. The vote was 5 to 0.

Also under Other Business, Mrs. Clarke provided a copy of an article from the Sun Journal about Carthage and how the Wind Energy project revenues have affected them.

9. Public Correspondence: none

10. Public Comment:

Mr. McKay informed the Board he spoke with Steve Brown of Carthage. He said they discussed how depreciation may affect the Town of Carthage, and that they should consider putting some of the revenues aside in a savings reserve.

11. Board Questions and Comments: none

12. FYI: Town Office and Library will be closed from Friday, December 23rd through Monday, December 26th for the Christmas Holiday, and will also be closed Monday, January 2nd for the New Year's Day holiday.

13. Next Meeting: Monday, January 9, 2016 at 5:30 pm downstairs in the Ludden Memorial Library

14. Executive Session pursuant to 1 MRS §405(6)(A) to discuss a Personnel Matter:

Mr. Daley made a motion to go into executive session as referenced. It was seconded by Mr. Skibitsky. The vote was 5 to 0. The Board and the Town manager went into executive session at 8:55 pm.

The Chairman declared the Board out of Executive Session at 9:10 pm. No action was taken.

15: Adjournment:

Motion was made by Mr. Mitchell to adjourn at 9:15 pm. It was seconded by Mr. Jamison. The vote was 5 to 0.

Respectfully submitted,

Carlo Puiia