

Readfield Select Board Regular Meeting Minutes – October 17, 2016

Select Board Members Present: Bruce Bourgoine, Thomas Dunham, John Parent, Christine Sammons, and Kathryn Woodsum

Others Attending: Eric Dyer (Town Manager), Kristin Parks (Board Secretary), William Starrett (Channel 7), Allen Curtis, Grace Keene, Holly Rahmlow, Milton Wright, Pamela Osborn, Sandra Rourke, Gary Quintal (CEO), Peter Bickerman

Executive Session

To have the Selectboard hold an executive session for the purpose of discussing the Town Managers review pursuant to 1 MRSA, Section 405, subsection 6(A).

Motion made by Bruce Bourgoine to enter into executive session at 5:32 PM for the purpose of discussing the evaluation of the Town Manager pursuant to 1 MRSA, Section 405, subsection 6(A). There may be action taken at the end of the executive session. The Town Manager was invited for a portion of the meeting. Motion Seconded by Kathryn Woodsum. Unanimous.

The Chair declared the Select Board out of executive session at 6:26 PM.

Regular Meeting

Mr. Bourgoine called the meeting to order at 6:30 pm followed by The Pledge of Allegiance.

- **17-082 – Minutes: Select Board meeting minutes of October 3, 2016**
 - **Motion** made by Mrs. Woodsum to approve the minutes of the October 3, 2016 meeting as presented, **second** by Mr. Parent. **Vote** 5-0 in favor.

- **17-083 – Warrants #16 & #17**
 - **Motion** made by Mrs. Woodsum to approve Warrants #16 & #17 in the amount of \$257,678.90, **second** by Mrs. Sammons. **Discussion:** Harcros Chemicals is under Winter Maintenance/Erosion Control but is regarding the salt for the roads. Pike Industries is for the shoulder work and trail work. Wellman Paving covers the issues at the Transfer Station and the road paving around town. **Vote** 5-0 in favor.

Communications

- **Select Board Communications**
 - Mrs. Sammons mentioned that she had wanted to do something for the kids for Halloween but due to short timing it will not happen this year but will work on something for November.

- **Town Manager**
 - Mr. Dyer went over his Town Manager Report dated October 17, 2016.

- **Public Communications - Members of the public may address the Select Board on any topic**
 - None

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Appointments & Re-Appointments:

- **17-084 – Appoint a member to the Appeals Board**
 - Holly Rahmlow gave a brief review of her background and why she is interested the Appeals Board and Trails Committee. Thank you from the Selectboard. Appeals Board is almost complete to be a functioning board.
 - **Motion** made by Mrs. Woodsum to appoint Holly Rahmlow to the Appeals Board beginning on October 18, 2016 with a term ending June 30, 2018 **Second** by Mr. Dunham. **Vote** 5-0 in favor.

- **17-085 – Appoint a member to the Trails Committee**
 - **Motion** made by Mrs. Woodsum to appoint Holly Rahmlow to the Trails Committee starting on October 18, 2016 with a term ending June 30, 2019, **Second** by Mr. Parent. **Vote** 5-0 in favor.

- **17-086 – Appoint a member to the Recreation Committee**
 - Tabled until next meeting so we can invite Adam Woodford for appointment.

Unfinished Business:

- **17-033 – Identify who individual Selectboard members voted for with respect to the Budget Committee appointments made on August 8, 2016**
 - Mr. Bourgoine gave a brief discussion on the miscommunication/understanding of the voting by ballots for Budget Committee. Below are the votes for public record:
 - Mr. Dunham: Allen Curtis, Pete Davis, Valarie Pomerleau – *Mr. Dunham mentioned that part of him voting for the three he did was because they were not serving on any other boards at the time.*
 - Kathryn Woodsum: Pete Davis, Martin Hanish, Andrews Tolman- *Mrs. Woodsum stated that it was good to do this tonight since it had come to light that our voting by ballot was an incorrect method, and that it is important for this board to admit when we have erred and to correct it to the best of our ability.*
 - Bruce Bourgoine: Pete Davis, Valarie Pomerleau, Andrews Tolman
 - John Parent: Pete Davis, Martin Hanish, Andrews Tolman
 - Christine Sammons: Pete Davis, Valarie Pomerleau, Andrews Tolman

New Business:

- **17-087 – Consider bids for the purchase of the old town truck and equipment**
 - Mr. Dyer went over the bid information and the bids that were opened on Thursday, October 13 at approximately 4:30 PM. There were 4 bids received. Lowest bid was \$3,422.00 by Warren Smith and the highest was \$6,555.00 received from Matt Scruton.
 - **Motion** made by Mr. Dunham that we accept the bid from Matt Scruton for the town truck, two plows and sander, and to have him remove it within 10 days, **Second** by Mr. Parent. **Discussion:** Mr. Dyer has already spoken to Matt Scruton. Money will go into the General Fund. Mrs. Woodsum mentioned she liked the way the bid was written and that he stated “as is” in his submitted bid. Allen Curtis spoke regarding adding the funds to the General Fund and if this was able to be done. Mr. Dyer to look into using the funds to pay down the new town truck.

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Discussion amongst the Selectboard regarding on how to spend the funds and not to overspend.
Vote 5-0 in favor.

- **17-088 – Complete the final Bond Bank loan documents for the new fire truck**
 - Mr. Dyer went over the information on the final Bond Bank loan document that the Selectboard needs to sign to complete the final step. Delivery date of the new truck is still not available. Mr. Dyer went over the payment schedule as presented in the packet.

- **17-0889 – Other**
 - **Review of Future Agenda Items:** Next Selectboard meeting is November 3 along with the CIP review meeting. Mrs. Woodsum would like to see a review process of the CIP process and how it is working.
 - Allen Curtis spoke on the fact that the RSU is going to need a new roof for the high school and middle school and if we had plans on how this would affect the town.

7:24 PM: The Selectboard meeting in recess until 7:30 PM for the Appeals & Hearing Workshop.

Appeals & Hearing Workshop

The Selectboard is holding a workshop on the appeal and hearing processes by which municipal decisions are reviewed. To this end the workshop will consider the following areas:

Overview of the appeals and hearing process

Code Enforcement Process

- Statutory basis
- Appeals process
- Administrative procedures and the role of the Selectboard
- Next steps
 - Gary Quintal, CEO went over the important duties of the Code Enforcement Officer.
 - The Appeals Board acts on errors by the CEO or Planning Board.
 - An administrative or variance appeal shall be filed within 45 days of the date of the written decision being appealed.
 - Any motion or request to reconsider must be made within 14 days of the decision of the board.
 - Any party that doesn't agree with the decision of the Board of Appeals or Planning Board may appeal to the Superior Court in accordance with Rule 80B within 45 days of the Boards final decision.
 - The Board of Selectmen will take any further action regarding ordinance violations upon notice from the CEO and may enter into an Administrative Consent Agreement.
 - The CEO gives a 1st notice, 2nd notice and the Final Notice that requires Selectboard action.

Quasi-judicial functions of the Selectboard

- Statutory basis
- Appeal/Hearing process
- Next steps

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- Eric Dyer went over the Town of Readfield Hearing Process Matrix Chart as presented in the packet.
- There are 3 general areas where municipal officers may be called on for Quasi-Judicial:
 - Licenses & Permits
 - Certain appeals like General Assistance or Tax Abatements.
 - Personnel Matters
- Some appeals may be confidential
- Decided to develop a formal process for hearings and have the Selectboard work with committees.

Board of Appeals

- Status update
- Statutory basis
- Appeals process
- Next steps
 - Eric Dyer went over 2691 Board of Appeals information for the Town of Readfield. The town only went through with the LUO.
 - There are 2 types of hearings:
 - Legislative Public Hearing
 - Quasi-Judicial Public Hearing
 - Constitutional Rights. Have to keep it fair for everyone involved.
 - The Selectboard has the final decision.
 - The Appeals Board is to see if there are any violations that need further action.
 - Decided to clarify what we want the Board of Appeals to have jurisdiction over.
 - Eric Dyer and Gary Quintal to look into creating a formal complaint/intake form.
 - Create a Sub-Committee meeting with a few members from the Planning Board and Select Board and ask Appeals Board for help. Explore the ordinance.

Meeting/Workshop Adjourned at 8:30 pm. There was no motion on adjournment.

Minutes recorded by Kristin Parks, Board Secretary