

**Town of Otisfield
Board of Selectmen Meeting Minutes
June 17, 2009**

1. **CALL TO ORDER:** The regular meeting was called to order at 7:00 PM. All BOS were present.

2. **SECRETARY'S REPORT:**

A. Meeting Workshop Minutes from June 3, 2009. Motion to accept minutes. RM/LA– Unanimous.

3. **SPECIAL EVENTS**

A. Janet Douglas – Board of Appeals volunteer: BOS gave Janet an over view of the board and welcomed her. *Motion to appoint her to the Board of Appeals. RM/HF – Unanimous.

4. **COMMITTEE REPORTS:**

A. None.

5. **DEPARTMENT HEADS:**

A. None.

6. **QUESTIONS/COMMENTS FROM THE PUBLIC:**

A. None.

7. **ADMINISTRATIVE ASSISTANT ITEMS:**

A. Quit Claim deed: Town to Charles Hurd. Cashiers check received from Mr. Hurd in the amount of \$3,555.00. *Motion to sign the quit claim. LA/RM – Unanimous.

B. Catering Applications for 401 Powhatan Road on 8/1/09. A State application is presented and the BOS must acknowledge. *Motion to sign application. LA/RM – Unanimous.

C. Scholarship Award List for 2009. \$4,675.00 (9) applicants, (6) in college and (3) planning to go to college. Libby Hooker has asked to stay on Scholarship Committee for another term. *Motion to appoint Libby Hooker for another 5 year term. HF/LA – Unanimous.

8. **ADJUSTMENTS TO AGENDA:**

A. None.

9. **UNFINISHED /SCHEDULED BUSINESS:**

A. Road Study Review (WIP) Other committee members may be available. *Tabled until after town meeting.

B. Comprehensive Plan (WIP) Volunteers needed to form a committee. 07/09 *Tabled until after town meeting.

C. Vault HVAC (WIP) Electronics – RM suggests having an expert come in to discuss process. *Tabled until after town meeting.

D. Bond Issue for future capital items. (WIP) *Tabled until after town meeting.

E. Scribner's Mills Bridge update from Ross Cudlitz, P.E. - Site walk was done June 2, w/ Ross, Otisfield BOS and the representatives from the Town of Harrison. Bridge still needs lots of work, but the State still owns it. A pass at your own risk sign will be purchased and placed up immediately. Otisfield will purchase (2) signs, in case Harrison has not put one up on their side yet. Currently it has a posted limit of 6 tons. RM: Before we recommend spending any money for specific work, including more studies, we

should ask the townspeople what they want to do, if anything at all. LA- Suggests we get a traffic counter, in hopes the State will take another look at the repair costs. RM: Even if we knew the traffic count, I don't believe the State is willing to fund anything that isn't a top priority. In their eyes, they're willing to close it right now if Otisfield & Harrison do not want to fund the repairs. *Tabled until we hear from Harrison.

- F. Fire Station storm water erosion report from Ross Cudlitz, P.E.. Gore Station and East Otisfield were looked at, and solutions were outlined. (grading, trenching, culvert work, and vegetation plantings) LA will talk to Richard Bean to see if he is interested in Gore Station project. East Otisfield will need a DEP Permit By Rule prior to any work, and LA will discuss w/ Richard also. RM will respond back to Ross Cudlitz and let him know that the BOS is requesting him to follow through with the PBR and keep us updated.
- G. Town of Oxford -Robinson Dam- update. RM spoke to Oxford officials and they said that Robinson would most likely be retaining the property, including the dam. A maintenance plan is already in place and includes an assigned person at the State (DEP). Any changes, Oxford said they will keep us updated.
- H. Town Attorney on tax acquired. (WIP) Additional information has been sent. *Tabled until information is received.

10. SELECTMEN'S ITEMS TO BE DISCUSSED & VOTED ON:

- A. Motion to sign Warrant # 22 to pay the towns bills. LA/HF – Unanimous.
- B. BOS reviewed Board & Committee member's terms that will expire on 6/30/09. Discussion: Next Ordinance Policy Review Committee volunteer will have their term expire 2012.
 - 1) Planning Board: Danny Peaco's term expires 06/09.
*Motion to appoint Dan Peaco for another 5 year term on the PB. HF/LA – Unanimous.
 - 2) Appeals Board: Don Verrill's term expires 06/09.
*Motion to appoint Don Verrill for another 5 year term on the BOA. LA/RM –Unanimous.
 - 3) Finance Committee: Joanie Jacobs and Quenton Henderson's terms expires 06/09.
*Motion to appoint Joanie for another 5 year term on the Fin.Com. LA/RM – Unanimous.
*Motion to appoint Quenton for another 5 Year term on the Fin.Com. RM/LA – Unanimous.
 - 4) Conservation Committee: Pixie Williams & Beth Damon's term expires 06/09.
*Motion to appoint Pixie for another 3 year term on the Cons.Com. LA/RM – Unanimous.
*Motion to appoint Beth for another 3 year term on the Cons.Com. HF/LA – Unanimous
- C. Building permit application for Upper Big Hill Road: currently the CEO is working w/ the applicant and will be consulting Town Attorney Geoffrey Hole with the approval & support of the BOS.
- D. Planning Board Meeting – RM explained that there was confusion at public hearing about the adoption of 30% expansion for non conforming structures. RM called Mike Morse, Maine DEP for clarification. DEP explained the theory behind the alternatives. They have no problem w/ the 30% expansion rule, but many town CEOs & PBs think it's too hard to calculate expansion numbers and it's interpretative. The DEP alternative to the 30% Expansion, requires no "volume expansion calculations". 2nd reason, the home owners are always complaining that if they have a small structure and neighbor has a big structure, then the 30% expansion is unfair. Offering the town an alternative, eliminates the unfairness, but you cannot have both. The state knows that nothing is definitive and we can't hit every situation w/ one policy or one ordinance. If the Town goes w/ the alternative, it's fairer to more people than the 30% expansion is. No matter what we vote for this year, we can change it next year. We have two choices. The new one is what Otisfield is voting on, not the current 30% method. If any structure is within 25' of water, you cannot

expand your structure. If the structure expands beyond 25', then there are options to expand beyond a 30% calculation. If it's voted down, we will keep what we have now; and if we want to change it next year, we can. TT & CEO will utilize the illustration by RM, at PB Workshop, to make hand-outs for voters at town meeting. BOS suggest 150 copies for town meeting.

11. QUESTIONS OR COMMENTS FROM THE BOARD

- A. Changes to the warrant: Definition: discussion at public hearing regarding the ROW. Current definition states, "*responsibility for maintaining said right of way*", RM called Mike Morse, Maine DEP. He says it can be edited as town sees fit. Recommendation of the PB is to strike "*responsibility for maintaining said ROW*". Discussion: LA: Better to leave as is and if it needs to be changed, it can be done next year. It cannot be changed or amended at Town Meeting. BOS agreement.
- B. Town meeting copies of proposed changes: MIM explained it's been posted on the web site and copies were distributed at the Public Hearing. BOS: no additional copies are necessary for Town Meeting.
- C. Sand Use Policy – A local resident has contacted RM & HF. Policy should be reviewed and be more defined. BOS agree that the Policy should be expanded. (Sand vs. Sand-Salt vs. Salt, Abuse of Policy, amounts, etc.) Discussion regarding sending it back to OPRC. RM suggests MMA be consulted prior to the OPRC work. LA will request a model policy. The complaints are 1) we are allowing people to take a sand salt mix and put it on private roads and number 2) we are allowing public road people to apply to their driveways and 3) We are allowing private contractors to fill up their sanding trucks, even if they are not charging for the sand, they are being paid for it to be put down. MIM spoke with MMA Legal, and will get something in writing and bring to an upcoming BOS mtg. RM: Suggests anyone who has a problem w/ any Town Policy, to bring it before the BOS on a meeting night. If more than the Public Comment 5 minute limit is necessary, they can contact MIM to get on the agenda.
- D. Upcoming meeting: Quick meeting to sign final warrant June 30, 2009. All BOS will attend.

12. ADJOURNMENT:

With no further business, the meeting was adjourned at 8:45 PM. HF/LJA – Unanimous.

Respectfully submitted,
Tanya Taft, Secretary
Approved by:

Hal Ferguson, Chairman

Rick Micklon

Lenny Adler

Approved on:

July 15, 2009