

**POLAND BOARD OF SELECTMEN  
MINUTES OF MEETING  
MARCH 20, 2013**

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chairman Stephen Robinson called the meeting to order at 7:00 PM with Selectmen Janice Kimball, Stanley Tetenman, Walter Gallagher and Lester Stevens present. The Town Manager was also present.

**MEETING NOTES OF PREVIOUS MEETINGS**

Consensus of Chairman Robinson and Selectman Stevens to accept the meeting minutes for October 9, 2012 as presented.

Consensus of Chairman Robinson and Selectman Stevens to accept the meeting minutes for January 2, 2013 as presented.

Selectman Gallagher moved to approve the meeting minutes of March 5, 2013 as presented. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve the meeting minutes of March 13, 2013 as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

**RESIGNATIONS/APPOINTMENTS**

Selectman Tetenman moved to accept the resignation of Walter Gallagher from the Budget Committee. Selectman Kimball seconded the motion. Discussion: None

Vote: 4-yes 0-no (1 abstain – Selectman Gallagher)

Selectman Kimball moved to accept the resignation of Stanley Tetenman from the Budget Committee and the Comprehensive Planning Committee. Selectman Stevens seconded the motion. Discussion: None

Vote: 4-yes 0-no (1 abstain – Selectman Tetenman)

**RECOGNITION OF VISITORS** (A list of visitors who attended the meeting are attached to these minutes.)

**REPORTS AND COMMUNICATIONS**

Town Manager's Report – In addition to a written report, the manager provided a verbal summary of activities that took place subsequent to submitting her report.

- Auditors – The auditors will be coming to the Town Office on Tuesday, March 26<sup>th</sup> and Wednesday, March 27<sup>th</sup> to perform a pre-audit.
- Communities of Distinction – The program consists of a five minute video of Poland being taken and broadcast over networks to show the community and all it has to offer. The rights of the video become the Towns after production. The Selectmen would like to see some references from other communities who have used the service. The Board would also like to know if they pass on it this year if it will be offered again in the future.
- Department Head Reports – The consensus of the Board is to have the Department Heads continue with monthly reports until the new members of the Board become more familiar with the activities of the Town.

- American Red Cross Heroes Breakfast – Town Manager Rosemary Roy and Town Clerk Judith Akers attended this year's Heroes Breakfast on March 12<sup>th</sup>.
- Mileage Reimbursement – The Town currently reimburses \$0.50 per mile, the State rate of reimbursement is \$0.44 per mile and the Federal rate of reimbursement is \$0.565 per mile. The Board would like to have a consensus of what the other Municipalities in the State reimburse for mileage before they make a decision to increase mileage reimbursement. Town Manager Rosemary Roy will have Town Clerk Judith Akers send out a memo through the Clerk's network to see what each Municipality reimburses for mileage.
- AVCOG – The consensus of the Board is to enter into a year contract with AVCOG.
- NIMS Training – Training is required within 120 days of taking office for any municipal officer. Training will be set up for the new Selectmen after the April 5<sup>th</sup> Election so all new members can have the training at the same time.
- TRIO Payroll – Thursday, March 21<sup>st</sup> Bob Penley will be in the office to give a review of the Trio Payroll system. The Town Manager, Finance Director, and Payroll Clerk will all be present for the review.
- MWAC – Selectman Stevens moved to authorize Town Manager Rosemary Roy to sign the letter on behalf of the Town supporting opposition to the opening of a landfill that does not want to follow the same guidelines that are given to everyone else. Selectman Gallagher seconded the motion. Discussion: None  
Vote: 5-yes 0-no
- General Assistance Investigation – The investigation the Board previously authorized relating to confidential information being leaked to the public has been completed. Ron Smith will bring the findings before the Board in the near future.
- CEDC Workshop – The Board would like to schedule a joint workshop with the CEDC on May 2, 2013.
- MDOT – The Board has given authorization to Town Manager Rosemary Roy to discuss with the Town Attorney the "Taking of Property" request that the MDOT has given to the Town.
- FOAA Report – The Board has requested a report for the time spent on FOAA requests. Town Manager Rosemary Roy will submit a report detailing time spent on FOAA requests since January 2013.

Department Reports – The Board clarified that the Year to Date totals for Fire Rescue started in January and not in July. Public Works Director Tom Learned clarified for the Board that the sand supply seems to be adequate for the remainder of the season. He estimates there is 600 yards left which is the equivalent needed for two more big storms. He also clarified that the Public Works crew is given time off during the week to make up for storm coverage to limit the number of overtime hours in the Department.

Financial Report – Town Manager Rosemary Roy clarified for the Board that the water budget is showing over but that is due to a fee that the Town did not anticipate, going forward that fee has been captured in the FY2014 budget. Public Works Director clarified for the Board that Cutting Edges is for cutting edges on the trucks that are wearable items and need to be replaced frequently.

Communications - The following materials were included in the meeting packets:  
Maine Local Road Center URIP Update  
MDOT Work Plan Update

## **OLD BUSINESS**

Citizens Petition for Warrant Article – Selectman Gallagher moved to reconsider the motion from last meeting that allowed the petition by citizens for Whaleback Road to be considered a Town Road placed on the warrant for the Annual Town Meeting. Selectman Tetenman seconded the motion.

Discussion: The Board has received more information since that time regarding the legal activity around the ordinances and qualification of the road itself.

Vote: 4-yes 0-no (1 abstain – Selectman Kimball)

Selectman Stevens feels that the last time they discussed the petition he thought all issues had been dealt with but after a thorough review it appears that even if they put it on the warrant and it passes it can't be done because it doesn't meet the CLUC code, which is a legal issue. Selectman Tetenman states that looking at it thoroughly it doesn't appear that the survey done was comprehensive in showing the road meets the standards; therefore it looks although it is not a legal road in terms of the town accepting it. Chairman Robinson states that they have legal advice from MMA stating the Board cannot put something on to the warrant that is knowingly illegal in violating the Town ordinances.

Citizen Michelle Arsenault states that the letter from town attorney <sup>RR</sup> speaks of a subdivision and there is not a subdivision. She also states that the road is not new. It is an existing road and feels it is not going to cost the town any money if they accept it. Selectman Gallagher clarifies that CLUC section 8.12.1 does not apply to this issue and that roads are not grandfathered. This means that if it is a new road to the Town then it has to be up to current Town standards before it can be accepted.

Selectman Stevens moved to have the warrant article pertaining to the Whaleback petition remain on the warrant. Selectman Gallagher seconded the motion. Discussion: Ms. Arsenault would like to know if the road can be dedicated to the Town. Town Manager Rosemary Roy will look into it and give her an answer.

Vote: 0-yes 4-no (1 abstain – Selectman Kimball)

Spirit of America Award 2013 – Selectman Tetenman moved to recommend number 2 on the list provided be given the Spirit of America Award. Selectman Stevens seconded the motion.

Discussion: None

Vote: 5-yes 0-no

Signing of Warrant – Selectman Tetenman moved to approve Articles 1-21 be placed on the warrant for the Annual Town Meeting as presented. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 22 be placed on the warrant for the Annual Town Meeting as presented. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve Article 23 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: This Article assumes that State Municipal Sharing will be \$0 and motor vehicle excise for trucks will be removed.

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 24 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: This Article would permanently take out up to \$250,000 from the TIF district so taxation would come into the general fund instead of the TIF fund.

Vote: 4-yes 0-no (Selectman Tetenman was absent during vote)

Selectman Kimball moved to approve Article 25 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: This Article would

allow us to do a one-time taking from the undesignated balance to mitigate expenses that the Board feels are one-time expenses.

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 26 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve Article 27 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Gallagher moved to approve Article 28 be placed on the warrant for the Annual Town Meeting as presented. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve Article 29 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve Article 30 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 31 be placed on the warrant for the Annual Town Meeting as presented. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve Article 32 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 33 be placed on the warrant for the Annual Town Meeting as presented. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve Article 34 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 35 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 36 be placed on the warrant for the Annual Town Meeting as presented. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Kimball moved to approve Article 37 be placed on the warrant for the Annual Town Meeting as presented. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 38 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: This Article will give the Board authorization that shall the opportunity to sell the building become available the Board could move forward with the sale.

Vote: 5-yes 0-no

Selectman Kimball moved to approve Article 39 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Gallagher moved to approve Article 40 be placed on the warrant for the Annual Town Meeting as presented. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve Article 41 be placed on the warrant for the Annual Town Meeting as presented. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to authorize the Board to sign the warrant and present it to the Town Clerk fifteen days prior to the Annual Town Meeting for posting. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Joint Meeting with HM Payson – The consensus of the Board is to schedule the joint meeting between HM Payson, Library Trustees, the Auditor, Town Manager and the Board occur after the new board members are elected at the Annual Town Meeting Elections. The Board would like to schedule it for Wednesday, April 24<sup>th</sup> at 7:00 PM. A backup date of Tuesday, April 23<sup>rd</sup> at 7:00 PM has been chosen. Town Manager Rosemary Roy will reach out to those included to see if the 24<sup>th</sup> will work for them. The Board also noted that it may be beneficial for the Auditor to come in at 6:30 PM for the meeting to start in executive session regarding the GA investigation so he doesn't have to travel twice.

Joint Meeting with McFalls Council – The consensus of the Board is to have Town Manager Rosemary Roy check with Town Manager John Hawley to see what their availability after April 16<sup>th</sup> will be.

MDOT Route 26 Construction of the "Final Mile" – Selectman Stevens moved to authorize the Board to sign the Construction Over Limit Permit agreement by MDOT as presented. Selectman Kimball seconded the motion. Discussion: None

Vote: 5-yes 0-no

## **NEW BUSINESS**

Code Enforcement Orders: Dangerous Buildings – There are two dangerous building properties in which the Code Enforcement Officer Nicholas Adams has not been able to reach the property owners. The next step is to have the Board call a public hearing regarding the two properties, all parties with property interest must be notified including lien holders. CEO Nicholas Adams makes note that the buildings are currently abandoned, CMP has shut off power at both locations but the Town has not secured the buildings. Selectman Stevens moved to schedule the public hearings for both parcels, 0032-0008 and 0012-0049, as requested by CEO Nicholas Adams on Tuesday, April 16, 2013 at 7:00 PM. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

Citizen Request for Action – Request for action has been received to place a stop sign instead of a yield sign at the corner of Cleve Tripp Road and North Raymond Road. Selectman Tetenman moved to approve a stop sign be placed at the corner of Cleve Tripp Road and North Raymond Road. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Request for action has been received to place a stop sign at the intersection of Johnson Hill Road and Megquier Hill Road. Selectman Tetenman moved to table the request until such a time when the requestor can submit a drawing of where exactly they would like to see a stop sign placed. Selectman Gallagher seconded the motion. Discussion: The Board is unsure at this time what currently exists at this location and exactly what direction the requestor is requesting a stop sign be placed.

Vote: 5-yes 0-no

Limited Through Traffic – Selectman Gallagher moved to schedule a public hearing for Tuesday, April 16, 2013 at 7:00 to add Johnson Hill Road and Heath Road to the Limited Through Traffic Ordinance. Discussion: None

Vote: 5-yes 0-no

Business Recognition Award – Selectman Gallagher moved to nominate number 2 from the list provided for the spring Business Recognition Award. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

EcoMaine – Selectman Kimball moved to authorize Town Manager Rosemary Roy to sign the EcoMaine Recycling Services agreement for a duration of five years beginning May 1, 2013. Selectman Stevens seconded the motion. Discussion: None

Vote: 5-yes 0-no

Tax Collector's Certificate of Settlement – Selectman Stevens moved to approve the Board to sign the Tax Collector's Certificate of Settlement in the amount of \$1,2460.40 being owed for the 2011 tax year. Selectman Kimball seconded the motion. Discussion: None

Vote: 5-yes 0-no

## **ASSESSING BUSINESS**

Selectman Stevens moved to approve an abatement for Real Estate account 1360 in the amount of \$81.90 due to a Veteran's exemption that was omitted. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve an abatement for Real Estate account 1862 in the amount of \$243.65 due to an assessor adjustment on the condition of the buildings. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve an abatement for Real Estate account 2039 in the amount of \$2,050.23. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve a supplemental for Real Estate account 2039 in the amount of \$2,009.28. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Stevens moved to approve a supplemental for Real Estate account 3838 in the amount of \$387.66. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

**PAYABLES** - Selectman Kimball moved to approve the bills payable in the amount of \$948,755.40. Selectman Tetenman seconded the motion. Discussion: None

Vote: 5-yes 0-no

Selectman Tetenman moved to approve the bills payable in the amount of \$21,619.36. Selectman Gallagher seconded the motion. Discussion: None

Vote: 5-yes 0-no

### **ANY OTHER BUSINESS**

Selectman Tetenman would like to know whether the Town Manager can be authorized to sign the renewal Entertainment permits rather than them coming before the Board. Town Manager Rosemary Roy will speak with Town Clerk Judith Akers about this topic.


Selectman Tetenman has drafted a letter to Legislative bodies about the affect the proposed budget will have on municipalities. Selectman Tetenman moved to approve the Board to send out a letter on Town letterhead and signed by Board members relating to the topic of the State Budget. Selectman Gallagher seconded the motion. Discussion: None

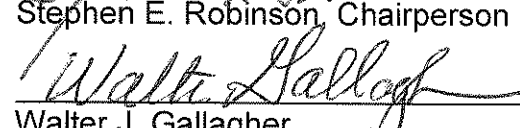
Vote: 5-yes 0-no


**ADJOURN** - Selectman Tetenman moved to adjourn. Selectman Kimball seconded the motion. Discussion: None

Vote: 5-yes 0-no

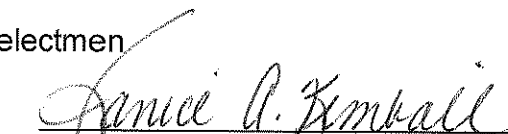
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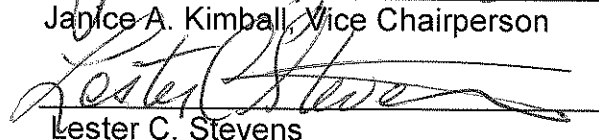
  
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Stephen E. Robinson, Chairperson

  
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Walter J. Gallagher

  
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Stanley L. Tetenman

Board of Selectmen

  
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Janice A. Kimball, Vice Chairperson

  
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Lester C. Stevens