



Town of Buxton 185 Portland Road, Buxton, ME 04093
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Board of Selectmen Minutes 03/25/2015

Town of Buxton
Minutes for March 25, 2015 Selectmen's Meeting

Prepared by: Beverly Gammon

Members Present: Clifford L. Emery, Jean C. Harmon, Penny J. Booker, Peter E. W. Burns, Dennis P. Santolucito

Others Present: David Harmon, William Thompson, Anthony Fusco, David Fogg, Kathleen Lamson, Vinny Nielsen, Debbi Nielsen

Selectmen's Meeting Agenda

- Call to Order

The meeting was called to order at 7:01 PM.

- Pledge of Allegiance

Selectman Emery led the Pledge of Allegiance.

- Approval of Prior Meeting Minutes

Selectmen Meeting Minutes March 18, 2015

Approved 4-0-1

- Discussion held between 5:00 & 7:00 p.m.

At 4:30 the Recreation Director met with the Board to go over leave time

Chief Grovo came in and updated the Board on how the hiring process is going for new dispatchers. He said it is going very well and they have narrowed the selection to three individuals.

Marston Lovell, one of the York County Commissioners, came in and talked with the Board about what is going on in the County, economic development, and he asked for their opinion on a new program. Selectman Burns explained that this is an

EB-5 Program that is designed to create economic development through foreign investments. Homeland Security is involved and does background checks on wealthy foreigners, in this case Chinese people, who can invest a minimum of \$1,000,000 in the project. Each \$1,000,000 investment must create 10 permanent jobs in this country and leads to eventually allowing one child to go to high school here. This program may provide the opportunity for the family to be given a Green Card.

Selectman Burns said this is part of an economic development program that the County is trying to do. The County Commissioners are talking about getting a certain amount of money set aside that all the towns would put into to start the administration part of the program. Mr. Lovell is going around to all the towns to get elected officials' opinions as to whether or not they are interested in this. Selectman Emery explained that the program is not new, it is just new to this area.

Kathleen Lamson, a resident who was in the audience, asked if other family members could get in on the Green Card.

Selectman Emery said "yes", the Green Card would cover the immediate family, a father, mother and child. He went on to say that this is the first time one of the County Commissioners has come to the Town Office which is why some on the Board voted for Mr. Lovell. He is following through on his promise.

The Board also spent time going over the proposed Ordinance changes. Whether they are on the Secret Ballot or on the floor as a Warrant Article depends on how the Ordinance was done originally. We have about six of them. Some will be on Secret Ballot and some will be Warrant Articles.

- **Review of Correspondence**

- *Weekly Legislative Bulletin #10 from Maine Municipal Association*
- *Email from John Myers, Town Clerk – Re: Nomination Papers Available Through April 27*

Selectman Emery announced that Nomination papers are available from the Town Clerk's Office for the following positions:

One - Selectman, Assessor and Overseer of the Poor for 3 years

Two - Directors, Maine School Administrative District No. 6 for 3 years

Two - Planning Board Members for 3 years

Two – Budget Committee Members for 3 years

All candidate nomination papers must be filed in the Town Clerk's Office on or before Monday, April 27, 2015 at 4:30 PM. All secret ballot questions must be filed in the Town Clerk's Office by 4:30 PM. They must include a certification by the Board of Selectmen and the Registrar of Voters must certify all signatures on petitions. Non-Charter Amendment petitions require 400 valid signatures; Charter Amendment petitions require 799 valid signatures. It is recommended that all petitions be filed in the Town Clerk's Office by Tuesday, April 21 to allow processing time.

- *Email from Chris Lockwood, Executive Director, Maine Municipal Association – Re: Retirement Announcement*
- *Email from Maine D.O.T. – Re: Preconstruction Utility Meeting for Bar Mills Bridge & Canal Bridge Project that is starting this spring*
- *Email from Dave Francoeur, Deputy Director, York County EMA – Re: Spring Flood Potential Normal*

- **Review of Projects and Issues**

Selectman Burns just got back from vacation and is working on getting caught up.

Selectman Booker talked about the SAD 6 Budget Advisory Committee Meeting last week and said it is getting to the point where they are getting more specific information, and if people are interested in knowing the details, this would be a good time to start attending those meetings. She mentioned attending other meetings the rest of the Selectmen attended last week and said she finished up the insurance portion of the budget. The rest of the Board also finished their pieces and she said the Board put a package together tonight to send to the Budget Committee.

Selectman Santolucito also spoke about the SAD 6 Budget Advisory Committee meeting last week. He said everything is coming to a head now. There is a meeting tomorrow night that is open to the public and another meeting on Saturday morning. The Committee is at the point where decisions have to be made; there are a lot of needs and a lot of wants, and he said they just have to sift through that and make some choices. Selectman Santolucito also attended the Budget Committee meetings for the last couple weeks and completed his pieces of the Administrative Budget for technology and FICA Taxes.

Selectman Harmon reported that the Board was here Monday night for a Public Hearing with the Planning Board. The Selectmen's Public Hearing was on road changes that Selectman Emery developed with the Public Works Director so that going forward new roads being built in town would have to meet new specifications for how the roads are shored up.

Selectman Harmon said she was here last night for the Budget Committee Meeting. They went over John Myers' portion of the Administrative Budget and Police. She has also been working on the Warrant that she said prompted some of the discussion tonight about the ordinances and where the Board wants to see them in the actual Warrant document.

Selectman Harmon reported that the Board received a map from Maine D.O.T. for the bridge in Bar Mills which is in the Code Enforcement office if anyone is interested in looking at it.

The Board talked about a part-time maintenance person to cover for vacations because the person who was our backup is no longer interested in doing that. Selectman Harmon said the Board will be talking more about it. She also advised us that a couple of residents came in today to drop off some paperwork the Board did not have and the Board talked about that also tonight. Selectman Emery said he had a chance to come in the office almost every day last week and spent time working with Bev on getting some information finalized for the Town Report. He was here for the Planning Board Meeting Monday night and said it went very well.

Selectman Emery also came in for the Budget Committee Meeting last night. He mentioned comments he made last week at the meeting about some drastic changes the Board is looking at in the way we do our solid waste disposal that should save the town money. Everything will still be picked up at the curb but we may do some recycling at the curb much like you would see in other areas like Saco, Biddeford or Scarborough. He said he brought it up last week when Greg Heffernan was here so that everyone would know that with revenue slowing down and everything based off taxes, the Board is thinking outside the box and getting outside their comfort zone this year.

Last night when the Police Chief finished his budget presentation, Selectman Emery announced that the Board met with the York County Sheriff. He said this is no reflection on our Police Department or Dispatch; it is purely economics. The Board is questioning if the town can afford the luxury of what we have now and looking to see if we can get these services at a lower cost. York County is putting a proposal together for the Board to look at. Yesterday some of the Selectmen went to Scarborough and sat down with the head of their Dispatch. Their Police Chief was there as well because he had some questions.

The Board has been talking and we are not saying we are going to do anything but if we do something with police, then we will do something with dispatch. If we contract with York County for police services, they would be dispatched out of Sanford, but we would still need dispatch for Fire-Rescue. We have worked with Scarborough for our 9-1-1 services and they have been exceptional. They are going to give us proposal for Fire-Rescue dispatch. While talking with them, a comment was made about Scarborough giving us proposal on police and, after a long discussion, the Chief is interested in giving us a proposal on police services as well. Selectman Emery explained that the Board did not want a lot of rumors or misinformation going around town. He said nothing is going to happen July 1st. The Board is doing its due diligence as a Board and looking at options. The Selectmen feel that we are at the place where they have to look at other options. He said again that this is no reflection on Police or Dispatch; it is just economics.

Selectman Burns stressed that if the Board wanted to go through with that and recommend a change, the question would go before the voters.

Selectman Emery said it will not be a decision by the Board. The people voted some years ago to have the Police Department and it will be a vote of the people, not the Board of Selectmen, if we are going to disband our police department and do something different.

- **Old Business**

None

- **New Business**

None

- **Executive Orders**

E.O. 141503019 – An order to approve 10.5 Hours of time off without pay for Ruth Scheibenpflug. Approved 5-0

E.O. 141503020 – An order authorizing the Treasurer to transfer the sum of \$55,000.00 from the Rescue Subscription Revenue Account to the General Fund. Approved 5-0

Selectman Emery explained that when the Rescue Subscription Fund started the Board was supposed to transfer money every year to cover the amount that is written off when insurance companies only pay a certain amount. The Board has not been doing that so the money has been accumulating. They have now taken the average of the 10 years that the fund has been there and left the rest. Each year from now on they will transfer the money.

E.O. 141503021 – An order to approve an Application for Exemption for Widow of a Veteran for [map 17, Lot 1]. Approved 5-0

E.O. 141503022 – An order to approve an Application for Veteran Exemption for [Map 9, Lot 15-7]. Approved 5-0

E.O. 141503023 – An order to approve an Application for a Veteran Exemption for [Map 6, Lot 72A]. Approved 5-0

- **Executive Orders by Initiative**

None

- **Accounts Payable and Payroll Warrants**

E.O. 141503017 – An order approving expenditures as documented in the Accounts Payable Warrant #084. Approved 5-0

The amount of the Accounts Payable Warrant is \$27,354.17.

*E.O. 141503018 – An order approving expenditures as documented in Payroll Warrant #083. Approved 5-0
The amount of Payroll Warrant is \$48,832.69.*

- **Next Meeting of the Board**

SAD 6 Budget Advisory Committee Meetings Thursday, March 26 at 6:30 PM, and Saturday, March 28 at 8:30 AM, at Central Office

Board of Selectmen Meeting Wednesday, April 1, 2015 at 7:00 PM

The Board of Selectmen will hold a Public Hearing Wednesday, April 8 at 7:00 PM on a Liquor License Renewal Application for Julie C. & Shiloh Hagerman D/B/A CHAPS, LLC located at 1301 Long Plains Road, Buxton

Budget Committee Meeting Tuesday, March 31 at 6:30 PM. The Selectmen will be presenting their portion of the Administrative Budget, along with Fire-Rescue

- **Other Business**

None

- **Public Comments and Questions**

Bill Thompson from BH2M in Gorham went to the podium, introduced himself, and said he is representing the owners of what is known as the Temm property on Narragansett Trail and came to talk about the proposed Article to change the zone in that area to exclude residential development. He said their client, Normand Berube Builders, has both sides under contract and brought a full plan to Code Enforcement for an 11 lot residential subdivision on one side. Mr. Thompson said his clients are concerned that they have invested a lot of money in this already without notification of this proposal and will not know until June if it is going to pass. He asked if there is any opportunity to exclude one or both sides of that property given the fact that there has been a lot of work put into it and pre-application brought to the Planning Board in anticipation of coming back before them and moving it through. He said his client would like to know if she could come in and meet with the Selectmen.

Selectman Emery said the Board sent the proposed change to the Planning Board so they could look at it two meetings ago but they chose not to at that meeting which is why there was no notification. It just got brought back up at their meeting Monday night. He explained that the Article is going forward as written for all business commercial property. There will be a Public Hearing at least 15 days before we vote at which time there will be conversation and an opportunity for anyone involved or concerned to speak. He reiterated that this is going to be printed in the Warrant as it is written to be voted on, but we have not had the Public Hearing yet so there is still an opportunity for people to speak for or against the change.

Mr. Thompson asked if the results of the Public Hearing might change the wording of the Article. Selectman Emery said it will not change the wording. We have to go to print in April to get it into the Warrant and in the Town Report but information may be given at the Public Hearing. He said this will be a Secret Ballot question.

Mr. Thompson asked if the town feels residential development in a business zone should not be allowed anywhere in the Town of Buxton and if this passes he would not be able to move forward.

Selectman Emery responded saying "yes, I would say that would be the result".

At that time Anthony Fusco, one of the landowners, went to the podium. He explained why they selected Berube Builders and said he wants people to know they felt these were the best people to do the job and that this project will enhance that area.

Mr. Thompson asked if their client can meet with selectmen to discuss their position.

Selectman Emery said the Board is available to meet between 5:00 and 7:00 on Wednesday nights and all they have to do is make an appointment.

At that time Mr. Vinnie Nielsen went to the podium. He introduced himself and said he came to ask the Board if there are any issues with not having Community Days as usual.

Selectman Emery explained that the Board has had conversations with people involved and people in the community. Community Days participation has fallen off to next to nothing. People come for the road race, then the parade. They tend to hang around a half hour or so after that, then the place empties out until people come back for fireworks at night. Town employees including members of the Fire-Rescue Department, Police Department and their families are there to give programs to no one until people start showing up about an hour before the fireworks start. The Board feels it should not make employees feel obligated to be there when there is nothing going on and no one there but the vendors. Some vendors and people there for non-profits have said they would just as soon kick in the \$15 they made for the day and go home. The Board has made the decision this year to have the road race, the parade and hopefully fireworks. The Selectmen are going to see how that goes and what they hear from people. Selectman Emery talked some about the history of Community Days and said it went pretty good for three to four years but it is right back to what it was when the Board stopped it the last time. He said the decision has been made and that is what we are going to do this year. If enough people come in who want to participate and be part of the solution the Board may look at it in another year or so but until that happens, it is not worth asking town employees to give up their day for no more of a gain than what we see.

Mr. Nielsen summed up issues; falling off attendance and employees there all day.

Selectman Burns talked briefly about the expense as well. He said it costs the town money for Fire Police who are directing traffic, extra police, and the Public Works crew that sets up the day before and cleans up afterward. There is an expense and overtime expenses that the town pays for.

Mr. Nielsen said he has been assisting Tashia Pinkham for the last five years and keeps a spreadsheet of vendors and organizations that have attended Community Days. He shared numbers of vendors who come back consistently and said he does not believe they would be coming back if it was not worth their while to be there. He said that tells him attendance is not falling off.

Selectman Harmon said the number of vendors does not necessarily mean there are a lot of people. She gave an example of her own personal experience attending the event and said attendance wise, there was nobody there.

Mr. Nielsen said you can pick out times when nobody is there but it doesn't matter if it is all made in a matter of three hours in the morning and three hours in the evening as long as when all is said and done they are coming back. He said it is attended well enough to support the vendors.

Selectman Booker talked about going down to the field and wondering where all the people were. She said it really struck her. The food booths used to have lines and now you do not see that.

Selectman Burns and his wife had the same experience. He said if you took the town employees and their families out of the equation there would have been almost no one there. He said the Town is not in the business of supporting the vendors. It is the town's money and it is not just one day, it is several days that town employees are working on it. He said he thinks it is time to go back to the road race, the parade in the morning and fireworks.

Mr. Nielsen commented that they all went at the worse times of the day.

Selectman Burns told Mr. Nielsen that he is not accepting the fact that a lot of town employees are involved in Community Days and in many cases they are there on their day off when they are doing it out of a sense of obligation. They feel they must do it and it is not fair to these people.

Selectman Santolucito added his own observation about attendance and said the Board talked about a compromise. They still want to have community events, the road race, the parade and fireworks but to have all those town resources spread out over a two or three day period with all the planning that goes into it just doesn't make sense. The compromise is to continue the things that have been successful but scale back the things that are not really working for us because it is a lot of energy and effort. He said we are under tight constraints budget wise and frankly from a public safety perspective our resources need to be used the best way we can. He said he thinks it is time to take a step back and look at what we do and how we do it and he thinks this is a good compromise.

Mr. Nielsen said he wanted to speak his peace and named one of the departments.

Selectman Emery interrupted and said we are not going to start picking on departments. He went on to talk about the

number of years he has been going to this event and what he has seen. There was a time when this was something to behold but he said that is not the case now. The Board has made the decision about events for this year and talked with Department Heads. We are going to do those three community based events and see how it goes.

Mr. Nielsen gave information about several other towns and said their events are at no cost to the towns and the fire and police presence is minimal. He suggested the Board transfer the burden of cost to the committee.

Some more discussion followed between Mr. Nielsen and the Selectmen and Selectman Booker closed by saying the decision is made for this year. Suggestions can be made for next year.

Selectman Emery thanked Mr. Nielsen for coming in.

Mr. Nielsen said he just wanted to explain what other communities do.

There was no other comments or questions.

- **Executive Session**

None

- **Adjournment**

Motion made and seconded to adjourn the meeting at 8:14 PM

Approved 5-0

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