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Board of Selectmen Minutes 06/17/2015

Town of Buxton
Minutes for June 17, 2015 Selectmen's Meeting

Prepared by: Beverly Gammon

*Members Present: Jean C. Harmon, Peter E. W. Burns, Dennis P. Santolucito, Chad E. Poitras
Clifford L. Emery was absent*

Others Present: Michael Grovo, Patrick Hanna, Bradley Garand

Selectmen's Meeting Agenda

- Call to Order

Selectman Harmon called the meeting to order at 7:00 PM.

The first order of business after the election is to elect a Chair and Vice Chair of the Board.

*A nomination was made to elect Clifford L. Emery as the Chairman.
Approved 4-0-1 (Selectman Emery was not present)*

*A nomination was made to elect Jean C. Harmon as Vice Chair.
Approved 3-1-1 (Selectman Harmon abstained and Selectman Emery was not present)*

- Pledge of Allegiance

Selectman Harmon led the recital.

- Approval of Prior Meeting Minutes

*Selectmen Meeting Minutes June 10, 2015
The vote was postponed until next week because there were not three Selectmen that attended the meeting on June 10 present at this meeting to vote on the Minutes.*

- **Discussion held between 4:00 & 7:00 p.m.**

Selectman Burns gave the Board an update on his discussions regarding the Hanson School.

At 5:00 Chief Grovo came in and gave the Board an update on his Administrative Assistant and an update on his officers.

At 5:07 PM the Board went into an Executive Session per 1 M.R.S.A. 405 (6) (A), a personnel matter. The Board came out of Executive Session at 5:22 PM and no decision was made.

The Board also had Brenda Brown, one of our Deputy Clerks come in to witness Selectmen signatures on some Municipal Quit Claim Deeds, and Marston Lovell, one of our County Commissioners came in to talk about the county budget that they are voting on tonight.

The Selectmen talked about the Rules of the Board. Each has a copy to review and the Board will vote on that next week.

Chad Poitras, our newly elected Selectman, is getting educated on the procedures and is coming along fine.

- **Review of Correspondence**

- Legislative Bulletin No. 22 from Maine Municipal Association

Email from Deputy Fire Chief Redlon – Regarding Training Schedule

Email from Dave Francoeur, Deputy Director, York County EMA – Re: Maine State Park Admission Free on Fathers' Day

Maine Public Health Alert from Maine CDC – Re: MERS-CoV Infection

- Three Email messages from Geoff Herman, Maine Municipal Association – Re: Legislative Issues
- Email from Maine Town & City Clerks' Association – Re: Clerk of the Year Award Nomination Form
- Email from John Myers, Buxton Town Clerk – Re: Election Results
- Email from Karen Butler, Maine Municipal Association – Re: Invitation to MMA Executive Director's Retirement Reception

- **Review of Projects and Issues**

Selectman Santolucito mentioned Town Meeting Saturday and said it was a good meeting, good turnout and questions. The budget passed and the Board is ready for another fiscal year. Selectman Santolucito said he is still working on some security issues around Town Hall and hopes to have those issues resolved within the next week so he can present that to the Board.

Selectman Harmon welcomed Chad Poitras to the table as our new Selectman and explained this part of the meeting when each of the Selectmen go over things they have been working on, phone calls, anything they might have started to work on, and let everyone know what they have been doing.

Selectman Burns talked about the School Board meeting he attended last week. They validated the warrant articles and voting results. The issue of the Hanson School came up again as to whether they are going to demolish or not demolish the building. They voted several weeks ago to demolish the building and then there was an item to rescind that vote which the Board voted not to do. Selectman Burns was invited to a meeting at the Central Office today and they discussed the long history of when the votes were taken and what was in those votes concerning the school. They are still working on that.

Selectman Burns talked about Town Meeting. He said it was good to see new people out. There were a lot of questions asked primarily from a couple of people but he thought it was a good learning experience for those that had not attended a Town Meeting before, and said hopefully when it is televised people will learn a lot more about the budget by some of the questions and answers that were given. Selectman Burns said he is never satisfied with the turnout. He estimated there may have been 60 people in the audience.

Selectman Burns said he thinks that the subject most people are interested in is the discussion on the Buxton police force. He said unfortunately there was a posting on a Facebook page that was picked up by the news media. That is not the way things need to be told to people and the Board was disappointed that happened.

Selectman Burns explained that it is the Board's responsibility to do its due diligence on the budget and they have from time to time gone out to see if some things could be done less expensively for equivalent services. For many years, off and on, the Board has been asked if they have gone out to see what it would cost for the Police Department. Selectman Burns said the Board has not done that in over 12 years. This year the Board was looking at proposed budgets from the Governor and it looked like everything was on the table; revenue sharing was up for grabs, there was a proposal to eliminate the Homestead Exemption for people under 65 which would mean an automatic increase in taxes of more than \$127.00, we did not know what the school budget was going to be, and there were other things that would cause our taxes to go up. The Board decided that one of the biggest expenses on the municipal side of the budget is the Police Department so they should go out to see if the

Town could get equivalent services for less cost. So, in March the Board started talking with Scarborough and York County and they told the Board that they would come back to us with proposals.

The Board has talked with them since. Scarborough has logistical issues with crossing county lines and decided there are too many issues so the Board did not get a proposal or any numbers from them to compare. Selectman Burns said at least the Board attempted to discuss this with them.

The Board also went to York County and Selectman Burns said after talking with them some more, the Selectmen are not comfortable with what York County offers for coverage. There are philosophical differences in the way the Board feels the Town needs to be policed. The Board believes we are better served with our current Buxton Police force so they terminated discussions with York County. Again, the Board did not get financial numbers from York County; they decided not to pursue it any further as they were not comfortable with the philosophical differences and do feel Buxton is better served with our police force the way it is today. Selectman Burns reiterated that the Board has no numbers to share. They did their due diligence by at least discussing it with two other entities. The Selectmen feel bad that there was so much distrust and discussion on both sides concerning this. He said the Selectmen did what they felt was right as part of their job and in looking out for the town as well. The Board came to the conclusion that we are going to keep our current police force, and the Board has done what it was asked to do, to go out and explore.

Selectman Burns then asked the other Selectmen if they support this statement.

Selectman Harmon said she does support it. The concept was not what the Board thought it would be with York County, and understanding that initially their concern with Scarborough was about whether or not they could cross county lines but Scarborough had offered to look into it.

Selectman Santolucito said he supports both decisions; the decision to look because the Board has to do that with all the budgetary challenges the town has and will have for the next few years; and the decision to, at this point, continue on with what we have as a police department.

Selectman Harmon talked about Town Meeting and thanked the Boy Scouts for providing a variety of choices for lunch. She said at one point she counted 52 people in the room. The budget passed; there was good discussion, good questions and she said she feels that the Town is in a good place with the budget the Board came up with. She has been working also on an

assessment review and has been going over a few things with Chad Poitras. She welcomed him again and said she thinks he is a good addition to the Board.

- **Old Business**

None

- **New Business**

The Board received an email message last week but did not get a chance to discuss it. The message was from a resident who was complaining about motorcycle noise. Selectman Harmon said the Board needs to talk about this and how to address the problem because they want to get an answer back to the resident. She said this has been brought up before. The Town does not have an ordinance that is specific against motorcycles and she said she does not know how to appease the resident.

Selectman Poitras asked where the resident lives and Selectman Harmon responded that it is on Turkey Lane.

Selectman Burns suggested that the Board could ask the Police Chief to step up patrols in that area and try to stop some of these people. He talked about mufflers and how some people modify them. He said he does not know if there is a state statute for noise on motorcycles and or if we have the right equipment to measure the decibels of that noise to know whether they are in violation or not. Selectman Burns said he would ask the Chief to look into that.

Selectman Harmon said the Board will still be discussing it so they can get an answer back to that resident.

Selectman Harmon said the Board has a copy of the Rules of the Board and will vote on that when Selectman Emery is back next week.

Selectman Burns asked the other Selectmen if they had talked about the old Town Garage being taken down and they agreed that it was talked about at one of the Selectmen Meetings.

Selectman Harmon mentioned that the Good Shepard Food Mobile was there last Friday. Selectman Poitras asked if she had any report on how that went. Selectman Harmon described the Food Mobile, gave specifics on what kind of food they gave away, and said this time they had enough food for 150 families. She said unfortunately not that many showed up compared to the last time when they gave away almost all of the food. She said they took the rest of the food to the food co-op to distribute throughout the week.

- **Executive Orders**

E.O. 141506017 – An order to approve 32 hours of vacation time for Fred Farnham
Approved 4-0-1

E.O. 141506018 – An order to approve 48 hours of vacation time for Tashia Pinkham
Approved 4-0-1

- **Executive Orders by Initiative**

*E.O. 141506019 – An order to support the Buxton Code Enforcement Officer's letter to the Superintendent of MSAD 6 condemning the Hanson School Building. This building constitutes a hazard to health and safety and must be brought up to code or demolished in accordance with the Code Enforcement Officer's letter.
Approved 4-0-1*

- **Accounts Payable and Payroll Warrants**

*E.O. 141506015 – An order approving expenditures as documented in the Accounts Payable Warrant #108. Approved 4-0-1
The amount was \$633,998.86. This includes our last payment in the amount of \$527,000 to MSAD 6 for this fiscal year and a \$29,000 insurance payment.*

*E.O. 141506016 – An order approving expenditures as documented in Payroll Warrant #107. Approved 4-0-1
The amount was \$48,722.75.*

- **Next Meeting of the Board**

Board of Selectmen Meeting Wednesday, June 24, at 7:00 PM
Planning Board Meeting Monday, June 22 at 7:00 PM

- **Other Business**

None

- **Public Comments and Questions**

Patrick Hanna went to the podium and introduced himself. He asked the Board if they have an answer to his question last week about the noise ordinance.

Selectman Harmon explained that if the noise is happening at two o'clock in the morning he should call the police. She suggested that the next step would be to talk to the Code Enforcement Officer because he does have enforcement power.

Patrick Hanna asked if the noise ordinance (10.6) covers dogs barking.

Selectman Harmon explained that some years ago the town tried to come up with a barking dog ordinance. She said it is very hard to cite the dogs for barking; it has to be the owner. She said that she knows by law animals need to have shelter and water if it is being tied up outside. She talked about why the Board has had a hard time with the barking dog ordinance. Selectman Harmon deferred to the Police Chief to explain how this is enforced since we do not have a barking dog ordinance.

Patrick explained that this question came from someone who lives near a kennel that he said has 200 dogs.

Selectman Harmon said the dogs bark early in the morning and again around 4:00 in the evening when it is feeding time.

Mr. Hanna said some residents brought up the Town Meeting and said they are afraid if they came in and voted against the police budget, for example, they might be targeted.

Selectman Harmon responded that she would hope that never happened. She has never known of it happening. She used the example of herself voting against the purchase of a police cruiser. She said she has been stopped by the police and does not feel that she was targeted. Again she said she does not know of any incidents where this has happened, where there was retaliation. She talked about the fact that Town Meeting is the purest form of government where everyone has a vote.

Mr. Hanna asked about it all going on a Secret Ballot so no one would know how you voted.

Selectman Harmon talked about the Town Meeting and people voting against some articles and said she hoped that (retaliation) would never happen. In answer to Mr. Hanna's question about putting everything on secret ballot, Selectman Harmon said there are communities that do that. Their ballots are extremely long which means people would have to be in a voting booth for quite some time to vote on every article. This year we had quite a few money articles so it would be time consuming. Selectman Harmon said it has been mentioned before about putting it on secret ballot so people do not know how you are voting but then it takes away if anybody has any questions.

Selectman Burns said the towns that have done that have done away with Town Meetings which takes away the whole purpose of having a Town Meeting where you can discuss each article. He said if we did that here, we would need two days to get all the secret ballot voting done and votes tallied.

Mr. Hanna thanked the Board and took his seat.

Selectman Santolucito said that he appreciates what the Historical Society has done in town. He toured their museum and it was great, and he has been through the one room school house with Louis Emery and said they (Historical Society) have done a nice job.

Selectman Santolucito went on to comment on the Hanson School. He said he saw tonight for the first time the list of upgrades that need to be done to make the school a useable, safe building and the list is around 2.1 million dollars. About half of that relates to life-safety issues like fire protection, sprinkler systems, and some type of elevator system to make it ADA compliant. He said that is a huge amount of money. The Town has been paying the school \$527,000 every month and that is going up next year. He said the Selectmen sat in on the Budget Advisory Committee meetings; the school budget barely passed by 50 votes. Selectman Santolucito said we are going to have a challenge over the next three to five years to fund the schools and people will know soon that there are some significant, physical infrastructure issues coming down the road that could mean some significant, large bonds. He said that has to be on the "A list". We do not have the money to put toward the Hanson School. That would be nice he said but it is a wish list item; it is not something we can do right now. Selectman Santolucito said we are not done with the revenue sharing issue yet or some other issues, and there are just not enough tax dollars to go around. Selectman Santolucito said we cannot put money into fixing the Hanson School and the Board certainly cannot ask SAD 6 to seed \$40,000 for that. Selectman Burns said it will cost more than \$20,000 just to "moth ball" that building with no use; that money needs to be spent on the students. The sewer system at the high school is failing. They are limping by with it but at some point they are going to have to float a bond for a whole new system that will cost over \$1,000,000. He said there are some big expenses coming up for the future and a declining population of students. Currently we have around 3700 students and three to four years ago there were around 4100. We still have the issue of Frye Island wanting to secede from the district that would have meant an additional \$450,000 to Buxton's budget for the schools.

Selectman Burns said this issue of the Hanson School has been going on for five to six years now and the building is finally being abandoned by the district. The last people are moving out tomorrow. They have been experiencing problems with people not feeling well in that building. They open a window whenever they can and they have been running HEPA filters in there. He said it is not a healthy building at all and certainly qualifies to be condemned. He said the school department has two choices, they can tear it down or spend a lot of money they don't have trying to bring it up to code.

There were no other public comments or questions.

- **Executive Session**

None

- **Adjournment**

Motion made and seconded to adjourn the meeting at 7:40 PM

Approved 4-0-1

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