

Town of Buxton
Minutes for July 26, 2017 Selectmen's Meeting

Prepared by: Beverly Gammon

*Members Present: Dennis P. Santolucito, Jean C. Harmon, Clifford L. Emery, Mark P. Blier
Selectman Poitras was absent.*

Others Present: Nathan Schools, David Harmon, Conrad Jellison, Tom Kennie, Rich Streeter, Ellen DeCotiis, Julie Gamelson, Ruth Scheibenpflug, Ellen Pyle

Meeting Agenda

1. Call to Order

Selectman Santolucito called the meeting to order at approximately 7:15 PM.

2. Pledge of Allegiance

The Pledge was recited at the Special Town Meeting.

3. Approval of Prior Meeting Minutes

*Selectmen's Meeting Minutes for July 19, 2017
Approved 4-0-1*

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

The Board discussed a resident with our Code Enforcement Officer and whether or not the structure the person is currently occupying is safe. This is going to be an ongoing conversation.

A resident met with the Selectmen to complain about the flashing sign that Poland Spring put up. Selectman Harmon and Tom Kennie, our Public Works Director, talked with a representative from Poland Spring who said they have had other complaints and are going to take the sign down. D.O.T. told him that the sign is in their right of way. However, the State gave that section of Route 112 from 4A to 202 back to the town so it is in the Town's right of way, not the State's.

The Board went into Executive Session at 6:45 PM, pursuant to M.R.S.A. 405 (6) (A), regarding a personnel matter. The Board came out of Executive Session at 6:58 PM.

The Selectmen are planning to set the tax rate next week so the Tax Collector can get the tax bills out. In response to a question from the public, Selectman Harmon said the mill rate will be going up about \$.55 but not because of the articles voted on at the Special Town Meeting earlier tonight. What was voted on at that meeting was not additional money it was just language that needed to be adopted for the borrowing.

The Selectmen also discussed the State funding for the schools. The school is having a finance meeting Thursday and the Board expects to get more specific information on that funding over the next couple weeks.

5. Review of Correspondence

- *Preliminary 2018 State Valuation*
- *State House News Update from Representative Don Marean*
- *Weekly Legislative Report from the Maine Legislature*
- *Email from Paul Schumacher, Executive Director So. ME Planning & Development Corp. – Re: Seasonal Census Population Information*
- *Letter from resident – Re: Poland Spring Signs*
- *Emails from Jonathan Youde at Maine Power Options – Re: MPO System Peak Information*

6. Review of Projects and Issues

Selectman Emery has been working with the company that is going to put together a Design/ Build Request for Proposals package for the addition to the Police Department so it can go out for bids.

Selectman Emery talked about the process for awarding the paving and road upgrades bids.

Selectman Blier has been looking at final, year-end numbers and said he has a better sense of where the town is financially.

Selectman Blier stopped in and talked with Greg Heffernan, Transfer Station Manager about an issue he is having with a resident. Selectman Blier is going to give the resident a call later this week to address that.

Selectman Blier is still working on getting traffic count information for our roads from Maine D.O.T. for the comprehensive plan.

Selectman Harmon reported that the Board received information back from the Town's attorney and there is a difference between a Charter Committee and Charter Commission.

The purpose of the Charter Committee is to recommend updates. The Charter is not specific about the number of members but there should be an odd number, probably five. Anything that is not a revision would have to go to a Charter Commission. The Board can either invite people to contact the Selectmen if they are interested in being on the committee, or post a notice in area

stores asking for letters of intent. It is up to the Board to decide what they want to do and the timing of that.

Selectman Harmon mentioned that the Treasurer printed a spreadsheet showing where accounts are as of year-end but some changes need to be made to that.

7. Old Business

*Charter Review Committee
Aging in Place – AARP Program*

8. New Business

A resident mentioned to Selectman Harmon that she thinks the gazebo that she (Selectman Harmon) brought up last week is a fabulous idea and it would be really nice if Buxton could have something like that here.

9. Executive Orders

*E.O. 171807019 – An order to adopt the Rules of the Board for Fiscal Year 2017/18
4-0-1*

*E.O. 171807020 – An order to approve 18 hours of time off without pay for Ruth Scheibenpflug
4-0-1*

*E.O. 171807021 – An order to approve 36 hours of vacation leave for Tom Kennie
4-0-1*

*E.O. 171807022 – An order to approve a Poverty Abatement for Case #PA 17-003
4-0-1*

10. Executive Orders by Initiative

*E.O. 171807023 – An order to award the Paving bid for 2017 to Dayton Sand & Gravel for the bid price of \$58.00 per ton
Approved 4-0-1*

*E.O. 171807024 – An order to award the Road Upgrades bid for 2017 to Dayton Sand & Gravel for the bid price of \$114,707 for Twin Brooks Drive, \$31,895.00 for Mark P. Emery Road, and \$15,187.00 for Elden Road
Approved 4-0-1*

E.O. 171807025 – An order to approve the adoption of the Resolution entitled, “Resolution Authorizing Issuance of General Obligation Bonds to Finance Costs of an Ambulance, a Fire Engine, and Construction of an Addition to the Town Hall Municipal Building,” be approved in form presented to this meeting and that an attested copy of said Resolution be filed with the minutes of this meeting. (The following resolution was read before the Board voted on this order)
Approved 4-0-1

RESOLUTION AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS TO FINANCE COSTS OF AN AMBULANCE, A FIRE ENGINE, AND CONSTRUCTION OF AN ADDITION TO THE TOWN HALL MUNICIPAL BUILDING

Under and pursuant to the laws of the State of Maine, including section 5772 of Title 30-A of the Maine Revised Statutes, and approvals by the voters of the Town of Buxton (the “Town”) at a Special Town Meeting duly called and held on July 26, 2017, the Board of Selectmen of the Town hereby resolves as follows:

- 1. That the following proposals of Camden National Bank to purchase tax-exempt bonds or notes of the Town are accepted and approved, and the Treasurer of the Town and the Chairperson of the Board of Selectmen (the “Chair”), acting singly, are authorized to accept said proposals on behalf of the Town, and any prior such acceptances are hereby ratified and confirmed;*
 - a. Proposal dated March 21, 2017, for a bond in the principal amount of up to \$187,000 at an interest rate of 2.38% for a term of up to 5 years to finance costs to acquire and equip a new ambulance for the Fire/Rescue Department*
 - b. Proposal dated April 11, 2017, for a bond in the principal amount of up to \$450,000 at an interest rate of 2.46% per annum for a term of up to 10 years to finance costs to construct and equip an addition to the Buxton Town Hall Municipal Building*
 - c. Proposal dated April 24, 2017, for a bond in the principal amount of up to \$415,000 at an interest rate of 2.51% per annum for a term of up to 7 years to finance costs to acquire and equip a new fire engine for the Fire/Rescue Department*
- 2. That the Chair and the Treasurer are authorized to borrow up to an aggregate principal amount of up to \$1,052,000 from Camden National Bank (or any of its related entities) on behalf of the Town, on terms in accordance with the proposals described above, which borrowings are for each of the purposes stated above (collectively, the “Project”);*
- 3. That to evidence such borrowings, the Chair and the Treasurer are authorized to issue and sell general obligation securities of Town in an aggregate principal amount not to exceed \$1,052,000, which securities are for the purpose of financing costs of the Project, and to execute and deliver a bonds signed by the Treasurer, countersigned by the Chair, and attested by*

the Clerk, on such terms and in such form not inconsistent herewith as they may approve, said approval to be conclusively evidenced by the issuance and delivery thereof (the "Bonds");

4. *That no part of the proceeds of the Bonds shall be used, directly or indirectly, to acquire any securities and obligations, the acquisition of which would cause the Bonds to be "arbitrage bonds" or "private activity bonds" within the meaning of Sections 148 and 141 of the Internal Revenue Code of 1986, as amended (the "Code");*

5. *That the Chair and the Treasurer are authorized to designate the Bonds as qualified tax-exempt obligations within the meaning of Section 265(b)(3) of the Code;*

6. *That the Chair and the Treasurer are authorized to covenant on behalf of the Town to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds, to take all other lawful actions necessary to ensure the interest on the Bonds will be excludable from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause interest on the Bonds to become includable in the gross income of the owners thereof;*

7. *That appropriate officials of the Town, acting singly, are authorized to take steps necessary to accomplish the Project and to execute and deliver on behalf of the Town such other documents and certificates as may be required in connection with such borrowing or the Bonds;*

8. *That the Treasurer in consultation with Bond Counsel is authorized to implement written procedures with respect to the Bonds for the purpose of: (i) ensuring timely "remedial action" for any portion of the Bonds that may become "non-qualified bonds," as those terms are defined in the Code and regulations thereunder; and (ii) monitoring the Town's compliance following the issuance of the Bonds with the arbitrage, yield restriction and rebate requirements of the Code and regulations thereunder;*

9. *That if the Treasurer, Chair, or Clerk for any reason are unavailable to, as applicable, approve, execute, or attest the Bonds or any related financing documents, the person or persons then acting in any such capacity, whether as assistant, deputy, or otherwise, is authorized to act for such unavailable official with the same force and effect as if such official had himself/herself performed such act; and*

10. *That if any of the officers or officials of the Town who have signed, attested, or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed, attested, and sealed shall have been actually authenticated or delivered by the Town, such Bonds nevertheless may be authenticated, delivered, and issued with the same force and effect as though the person or persons who signed, attested, or sealed the Bonds had not ceased to be such officer or official; and also, any such Bonds may be signed, attested, or sealed on behalf of the Town by those persons who, at the actual date of execution of the Bonds, shall be the proper officers or officials of the Town, although at the nominal date of the Bonds any such person shall not have been such officer or official.*

E.O. 171807026 – An order to accept the proposal from Great Falls Construction to provide a Design/Build Request for Proposals package suitable to put out to bid to interested/invited Construction Managers at a cost of \$3500.00.

Approved 4-0-1

11. Accounts Payable and Payroll Warrants

E.O. 171807017 – An order approving expenditures as documented in Accounts Payable Warrant #9 and Warrant #113

Approved 4-0-1

The amount of Warrant #9 was \$111,872.28 and Warrant #113 was \$6570.00.

E.O. 171807018 – An order approving expenditures as documented in Payroll Warrant #8

Approved 4-0-1

The amount of the Warrant was \$52,167.60.

12. Next Meeting of the Board

The Board of Selectmen will hold a Public Hearing Wednesday, August 2 at 7:00 PM on an Application for a Liquor License renewal and Special Amusement Permit for William H. Ham III, d/b/a Skips Lounge located at 288 Narragansett Trail in Buxton

Board of Selectmen Meeting Wednesday, August 2 at 7:15 PM, or immediately following the Public Hearing

13. Other Business

There is a full-time Laborer/Equipment Operator position open in our Public Works Department. Job duties include lawn mowing, maintenance of town roads, plowing snow and other duties as assigned. A High school diploma or GED and an active Maine Class B CDL is required, Class A preferred. Prior experience preferred. Submit cover letter and resume to Buxton Board of Selectmen, 185 Portland Road, Buxton, ME 04093, or email selectsecbuxton@sacoriver.net. More details can be found on the Town's website. This position will remain open until a suitable candidate is found.

There is one vacant position on the Buxton Planning Board. Anyone interested in serving on the Planning Board, should contact the Selectmen, or send a letter of interest to the Buxton Board of Selectmen, 185 Portland Road, Buxton, ME 04093. This position will be effective until the next election in June, 2018.

The Board is accepting applications for the position of Director of Berry Memorial Library. This is a six hour a week, paid position that includes evening hours and Saturday coverage. Applications will be accepted until August 4. To apply, please send cover letter, resume and two references to the Buxton Board of Selectmen, 185 Portland Road, Buxton, ME 04093, or email selectsecbuxton@sacoriver.net.

The Good Shepherd Food Mobile will be at the Corner of Haines Meadow Road and Long Plains Road Thursday, August 3 from 9:00 AM until 10:30 AM (while supplies last). Anyone in need of food assistance is eligible. Bring your own bags or boxes. For more information, please contact Joann Groder at 207.929.8806.

Selectman Harmon put out a call for any volunteers who are willing to help with the food mobile that usually arrives at 8:30 AM.

Selectman Emery commented on the job of Berry Library Director. Although the Board prefers to have a resume and two references, he encouraged anyone who may not have that but who has had experience as a librarian or feels qualified to do the job to apply if interested. The Board does not want someone who is really interested not to apply because he/she does not have a resume or two references.

14. Public Comments and Questions

Rich Streeter went to the podium and asked the Board if there have been any complaints about any other Poland Spring signs. Selectman Harmon said there have not been. Mr. Streeter asked if the rest of the signs are going to stay. Selectman Harmon replied that the Board has not had any complaints about the signs located on the 202 end and 112 before Tory Hill heading toward Buxton before the traffic light.

Ellen Pyle went to the podium and asked the Board some questions about the mill rate and when it is determined. Selectman Harmon explained the process. Ms. Pyle mentioned the Comprehensive Plan and traffic counts from D.O.T.; she asked if they will study some dangerous intersections in town. Selectman Blier explained that he is not asking them to do a study. The information he is gathering is what our traffic counts are. Ms. Pyle also mentioned the intersection at Scarborough Corner (Portland Road & Route 22 & Broad Turn Road). The Selectmen advised that the State is looking into putting a traffic circle there. Selectman Santolucito mentioned that D.O. T. has already done surveying at Scarborough Corner. Ms. Pyle thanked the Board.

There were no other comments or questions.

15. Executive Session

None

16. Adjournment

*Motion made and seconded to adjourn the Meeting at 7:55 PM
Approved 4-0-1*