

MINUTES  
SELECT BOARD MEETING  
Pownalborough Hall  
Monday, September 17, 2018  
6:00 pm

PRESENT:

Selectmen: Trudy Foss, Dwight Keene, Allan Moeller Sr.  
Admin. Assistant: Michael Henderson  
CEO: James Valley  
Fire Dept.: Steve Lilly, David Everson, Gerald Lilly, Michael Nysten, and Pean Lilly  
Residents: David Popp, Dan Stewart, Dave Probert, Gary Blau, Shari Lilly, Sonia Lilly, Dick Condon, and Jeff Pierce  
Reporters: Art Mayers and Jessica Clifford

1. CALL TO ORDER – 1<sup>st</sup> Selectman Trudy Foss called the meeting to order at 6:00 pm.
2. APPROVE & SIGN MINUTES OF PREVIOUS MEETING – 2<sup>nd</sup> Selectman Allan Moeller Sr. motioned to approve and sign the minutes of the August 20th meeting. 2<sup>nd</sup> Selectman Dwight Keene seconded the motion and all approved. Allan then motioned to approve and sign the minutes of the August 30<sup>th</sup> meeting. Dwight seconded and all approved.
3. APPROVE & SIGN THE PRESENT WARRANT – Allan motioned to approve the present warrant. Dwight seconded the motion and all approved.
4. GENERAL ANNOUNCEMENTS – The next Select Board meeting will be on Monday, October 1, at Pownalborough Hall at 6:00 pm. A special thanks for Gary Blau, Shari and Pean Lilly for volunteering their time to get the September Communicator out on time. And a special thanks to Kathy and Mason Dubord for raising \$451.00 in donations to repair cemeteries damaged during the October 2017 wind storm. Dave Probert asked what cemeteries they were talking about. Trudy explained that it was the two cemeteries off of Calls Hill Road.
5. OLD BUSINESS
  - a. LUDWIG ROAD BOND – Dick Condon let the Select Board know that his bonding agent would not bond the whole Ludwig Road because they would be no way to prove who damaged the road. Jeff Pierce explained that if there was a new house being built on the Ludwig Road we would have a new building permit. And if there was someone hauling trees out the Town Office would have a timber harvest plan. Jeff suggested that Dick and his bonding agent meet on Tuesday, September 18<sup>th</sup> at 6:30 pm. Dick also mentioned that there was a complaint from a neighbor about him digging illegally. Dick explained that he was testing the transmission on one of his vehicles, picked up some dirt and put it right back.
6. NEW BUSINESS

- a. LAND USE ORDINANCE VIOLATION – Allan announced that a new home at Map 7, Lot 40.1 was in violation of the Land Use Ordinance. The house was not in compliance with the 75' setback from the center of the road and the deck was also no in compliance with the 50' setback from the center of the road for accessory structures. Allan explained that though the 75' setback was noted on the building permit, our CEO does not inspect foundations because the Town does not have an enforceable building code. However, going forward our CEO will inspect setbacks on foundations. Dan Stewart spoke up, saying that David Popp was his neighbor and a lifelong resident. Dan admitted that a mistake was made building the house too close to the road, but explained that it's a dirt road and that he was the only property past Mr. Popp's house so no one else was being inconvenienced by this error. Allan explained that the Select Board was not going to make David Popp move his house. Dwight agreed and suggested adding a rider in the consent agreement establishing that the deck cannot be rebuilt or replaced, but can stay. Jeff said that the Planning Board unanimously agreed that the Select Board should not require the house be moved, but they were split on what the fees should be for the violation. Allan suggested that is the house or deck is every rebuilt that they must be in compliance with the Land Use Ordinance. Trudy motioned to draft a consent agreement with our attorney allowing David Popp to keep with house where it is, impose a \$500.00 fee, and require that any new structure or the rebuilding of any structures on the lot are in compliance with the Land Use Ordinance. Allan seconded the motion and all approved. David Popp said that he agreed with the term of the consent agreement. The Code Enforcement Officer James Valley asked if the Select Board and the property owner were in agreement the Select Board could remove the violation in the meantime Mr. Popp could move into his house now instead of waiting until the consent agreement was finalized and signed. Allan said that would be fine with the Select Board.
- b. GENERAL ASSISTANCE – Trudy explained that the Select Board needs to hold a public hearing before they can make an amendment to the General Assistance Ordinance. Trudy announced that the Select Board would hold a Public Hearing to discuss the matter, Monday, October 1<sup>st</sup> at 5:45 pm.
- c. BUDGET UPDATE – Administrative Assistant Michael Henderson walked the Select Board through the finalized budget for the 2017 – 2018 Tax Year and the up to date budget for the 2018 – 2019 Tax Year. Michael explained that the budget was over in 4 accounts. The Technology Account was over \_\_\_\_, the Salt Account was \_\_\_\_, the Administrative Assistant Salary was \_\_\_\_, and the \_\_\_\_\_ Account was \_\_\_\_\_. Besides the Salt Account, the other overages total at \_\_\_\_\_ which is less than \$5000 in the Select Board Contingency Fund. Trudy recommended holding a Special Town meeting to move over \$15,000 to the Salt Account from surplus to compensate for the 2017-2018 overages.

- d. TAX – ACQUIRED PROPERTY UPDATE – Michael explained that the file that was housing this report was corrupted and informed the Select Board had he would give them an update at the next Select Board meeting.

## 7. DEPARTMENT UPDATES

- a. Town Roads – Allan said that the Alexander Road needs ditching. There is also tree cutting on Blinn Hill Road and Calls Hill Road. They are putting in a culvert on the ~~Alexander~~ Common Road as well.
  - b. Fire Department – Fire Chief Steve Lilly informed the Select Board that the locks had been changed at Fire Station #2. Steve also said that the annual hose testing is being done and that it is time consuming process because it is done by hand. Dan from Richmond will be over to work on the small engines soon. There is a positive pressure fan and small generators that need to be serviced. Steve will also work on scheduling pump tests. Allan asked if the pump tests can be done every other year. Steve said that pumpers with more than 500 gallons need to be tested annually.
  - c. Solid Waste – Dwight said that the Town needs to do something regarding the furnace at the Transfer Station. Dirigo offered the lowest bid so far for a waste oil furnace around \$7000. Allan said that we should at least consider using the barely used furnace at the Old Town Hall to save on costs especially because we spend \$500 annually on servicing the current waste oil furnace. The price of #2 fuel is about \$2.79 a gallon, but prices might go up. Dave Probert said that it will end up costing more over time putting in a regular furnace and paying for fuel every year. Trudy recommended adding the furnace to a Special Town Meeting Warrant so that the voters could decide. Allan suggested they table the subject until October 1<sup>st</sup>. Allan also announced there would be an E-Waste day at the Transfer Station on Saturday, November 3<sup>rd</sup>.
  - d. Town Office – Michael requested \$100 to purchase a label printer to increase to professionalism of outgoing mail from the Town Office. Allan said to go forward with the purchase.
8. OTHER GENERAL BUSINESS – Allan asked if everyone who needed to be appointed to the Planning Board and Budget Review Committee was. Michael said that he would speak to the Town Clerk and update the Select Board at the next meeting.
  9. CITIZEN BUSINESS – Dave Probert informed the Select Board that he began working on the trail access through the town lot that was approved over the summer. Dave mentioned that he found a hunter's tree stand unattended and untagged along the trail. Allan explained that anyone hunting on Town property needs to get permission from the Town and any tree stands must be tagged. Dave said that he would speak to the person he believed likely put the tree stand up. Dave said that the trail is popular and they see about 30 – 50 visitors weekly. Dave

