

Select Board Minutes

Date: July 9, 2024

Time: 5:30 PM

Location: Multipurpose Room

Next Meeting: July 23, 2024

Pledge of Allegiance to the Flag

Minutes: Approved - June 25, 2024

Selectboard Members Present: Richard Doughty, Dina Walker, Lisa Miller

Audience Attendees: Dan Demers, Mike Stephenson, Joan Biondo, Ina Toth, Lise Bofinger, Steve Conant

AGENDA ITEMS:

Department Heads:

Dan said that all gravel materials will be delivered by mid-July. Mike and Steve have been helping Dan on Center Hill.

Old Business:

- **Kennedy Bridge Project**

Follow Up to response letter drafted by Richard to N F Luce informing Brain Luce that we are accepting his bid and we are sending him a check for 5% down payment and are seeking federal grants. We do not expect to spend any other funds until we hear about that grant until 2025.

Brian wanted to do some preparation work this year to get ready for next year but Richard told him to hold off until next year. Brian said that if he needed to, he would do it on his own time.

Richard said that we were close to the time that bids needed to be accepted so if Carol could ask Colleen to send it out Thursday, and we would be all set.

Dina **moved** to for the Selectboard to approve the letter to NF Luce as drafted by Richard Doughty on June 25, 2024 incorporating comments by Dina Walker (July 1, 2024) and Colleen Stewart (July 2, 2024) and send. Lisa **seconded** the motion and all three board members **approved the motion unanimously**.

- Franklin County Township Contracts for Fire Protection and Transfer Station

Richard said that the contracts were correct based on the actual expenses. The County's fiscal year is July through June and ours being a calendar year using 2022 figures was correct for the calculation last fall. Richard Doughty **moved** for the Selectboard to accept the contracts as drafted by Franklin County Township, Lisa Miller seconded the motion, and all three members of the board approved the motion unanimously.

- Update on Solar/Large Commercial Structures Ordinance
No comments have been sent to Carol Conant. As soon as comments come in Dina will get them into the document ready and get it send out to those working on it.

New Business:

- Corey - LOSAP which is a form of supplement retirement income for Firefighters

Corey introduced explained and proposed the LOSA or Length of Service Award Program for firefighters for the Selectboard's consideration. He gave some verbal details about the program to the board such as the Town can contribute to the program as well as the firefighters. Corey said as he knows more about the program, and he will pass it on to the Select Board. Corey gave the SB a copy of the information that he had.

Lisa reported the profit from the Weld Fire Departments chicken BBQ was \$1977.25

- Mike Stephenson (CEO) would like to bring to the SB's attention on a Shoreline Zoning violation matter

Mike completed his investigation and presented a written report of his investigation to the board for the first time at this Selectboard meeting. report on removal of several trees within shoreland zoning without a permit. Mike did receive guidance from DEP and requested guidance from the Selectboard previous to this this meeting. Dina contacted MMA Legal and forwarded Legal's advice to the board and the CEO previous to this meeting.

Mike said that the land owner had not been approached. When he went down to the property no one was there. Mike was given information from a contractor the name of the tree service that had done the work. The trees were cut within shoreland zoning without a permit and looking into their file they have applied for a hazardous tree permit in the past. Mike made a suggestion that if anyone contractor cutting trees within Shoreland should ask the landowner for a permit before cutting trees close to the lake. Mike did view piles of green woodchips from healthy trees and there was no dead material. Richard said that in the past when there were violations within shoreland zoning the SB had levied fines. Dina said that, according to MMA Legal's advice, once the CEO has determined that a violation exists, the CEO can try to encourage the landowner to voluntarily comply with the ordinance and laws in effect. This is generally preferable to bringing an enforcement action in court. If the CEO can convince the landowner to correct a minor violation quickly, the Selectboard does not need to be involved. However, if the Selectboard does choose to be involved, the board should enter into a clear agreement (i.e. a consent agreement) with the landowner if the violation is to be handled out of court.

The consent agreement is essentially an agreement between the Town and the landowner outlining the terms the landowner agrees to take to correct a violation, which may include a "corrective fee" (not a punitive fee) in exchange for the town agreeing to not bring an enforcement action in court.

If the Selectboard cannot settle this matter with the landowner (out of court) through a consent agreement, the Town will be required to bring an enforcement action under Rule 80K in court and the court will determine the applicable fines and/or penalties.

As for the way forward on this matter, Dina suggested that as the SB just received this information, that the SB first review the report that Mike prepared and MMA Legal's advice (including samples of

consent agreements) and table discussion and decision of this matter to the next SB meeting. She suggested that the board does not contact the landowner in question before the Selectboard has had time to review the materials listed above, agree on the Town's position in the consent agreement (have a draft ready) and thus be prepared to answer/negotiate with landowner on this issue when he/she is provided notice of this violation.

Richard disagreed and stated that he wanted the CEO to notify the landowner of the violation immediately. Lisa said that it would be courteous to send them a letter first and let them respond to the violation.

Richard instructed Mike to contact the landowner and seek any input they can provide.

No motion or vote was taken on this issue by the Selectboard as to how to proceed with this issue.

- David Rackliffe – Sinnett Cemetery – Sinnett Cemetery is located on State Park property within the Town of Weld with them being responsible for the care and maintenance of it. Richard said that the State Park has at least annually mowed it. David said the cemetery is overgrown and a headstone fallen over. David contacted a retired state police officer that he worked asking about mapping of old cemeteries and who is buried there and she suggested that he make contact with the University of Maine in Farmington. Town may be able to get the project done at no cost. Richard said that he was not able to make contact with Casey to discuss the maintenance of the Cemetery.

David said that he would like to know who is buried there and get the stones back where they belong that are just piled up and UMF does have an archeological Department and they may be able to help with this project. Dina said that Sean Minear, the Sexton to the Town of Weld cemeteries may be a good person to get in touch with to see what he knows. David Rackliffe mentioned that Samuel White who is a revolutionary war veteran is buried at Sinnett Cemetery. Dina said that Sean had mentioned updating the cemetery policies for the Town of Weld last year and this might be a good opportunity for the board to pick up that project again.

The board was unanimously enthusiastic about David Rackliffe's desire to volunteer his research efforts. Richard endorsed David's idea to reach out to UMF or to see if there is training their archeology students could work on. David will continue and keep up the Board to date.

String trimming permission Richard Doughty **moved** to authorize David Rackliffe to (1) contact with Casey Smedberg, the Mt Blue State Park Manager and confirm that the State Park does not have authority over the maintenance of Sinnett Cemetery; and (2) if it is determined that the Town of Weld has authority over the maintenance of Sinnett Cemetery that the Selectboard accepts the free services of David Rackliffe to string trim Sinnett Cemetery grounds. Lisa **seconded** the motion and all three members of the board approved the motion unanimously.

- Lise Bofinger – Raven Run – Should have come earlier - Very excited on Center Hill State Park plan raven run from State Headquarters to the turn to Mount Blue and turn around and come back. Lise is asking permission to do the Raven Run and hoping to close the road from 9 AM until 10 AM but would be open to only people who live in the area of the run. The run is just under 4 miles. Richard asked about using State Park trails instead of the road. Lise said no because most people run on the road.
- Lise talked to Lee Wade letting him know what would take place and there could be 47 to 70 runners and walkers. WLA will get cones from Public Works and take care of making signs that are needed and putting them and taking them down. Richard said closing the road to through traffic is OK. There will be road race spotters along the race route and fire department will be around in case of an emergency.

Richard Doughty **moved** to authorize the Road Commissioner to close the portion of Center Hill Road from the Mt. Blue State Park headquarters entrance to Mt. Blue Access Road to thru traffic on July 20, 2024, from 9 AM until 10 AM. Lisa Miller **seconded** the motion and all three members of the board **approved the motion unanimously**.

- Inspection report from May 14th visit with John Waterbury, Senior Loss Control Consultant, MMA (Richard provided update)

Property and Casual report stated that the salt shed has structural issues that an engineer will be needed to assess it and give recommendations to repair it. The does not have to be done until next year.

- Weld Betterment Grants

Difibtech for Town Hall – Ina Toth, Secretary of Weld Recreational Committee, brought up the topic of the Town purchasing a Difibtech for the Town Hall. We It was suggested by Ina Toth, on behalf of the Weld Rec Committee, that the Town should apply for a grant for such safety equipment from MMA Risk Management instead. Lisa Miller agreed to fill out the paperwork for the grant on behalf of the Selectboard and submit it to MMA Risk Management. It was also discussed that if a grant was not given through MMA, then one would be submitted to the Weld Betterment Grant. Deadline for the MMA Risk Management grant is September 15th.

Dina **moved** that the Selectboard authorizes Lisa Miller to complete the MMA Risk Reduction grant application for the funds to purchase a Difibtech for the Town Hall. Richard Doughty **seconded** the motion and all three members of the board **approved the motion unanimously**.

Transfer Station Ramp – Proposal for material good project and seeking for proposal for labor he would build it \$400 Hollis Tyler \$1,500 completed and sent into the Sean through the Community Betterment Grant. (Richard Doughty verbal update)

- Inspection report from May 14th visit with John Waterbury, Senior Loss Control Consultant, MMA (Richard Doughty verbal update)

Property and Causality report show the Salt Shed apparent structural issues have it assessed concrete wall with fail. Insurance suggests to plan when the salt lowest amount and an engineer come out and look at it. It does not have to be this year.


- Meeting with Casey – Dummer's -Coming in at 2 PM List confusing this year meet and sort it out. (Richard Doughty verbal update)

- 30-day notices prior to tax lien – 48 notices – Determine send out the letter less than \$50 not lien (Richard Doughty verbal update)
- Fines through the bureau of labor reduction letter asked for the \$2,100 to be reduced or removed. A letter from them have been received and there are not reducing any of the fines for PW or PS. The SB are going to appeal the fine of \$700 for PW and after discussing the other two violations it was decided to pay \$1,400 which is one for PS and one for PW. The SB is waiting to hear on the 3rd appeal. Richard Doughty **moved** to authorize Colleen Stewart to pay a total of \$1,400 to the Bureau of Labor and listing the violations each check is to cover. Lisa Miller **seconded** the motion, all three members of the board approved the motion unanimously.
- Executive Session

Dina Walker **moved** under §405 6(a) for the Selectboard to enter into executive session to discuss a personnel matter (at 6:37PM). The motion was **seconded** by Richard Doughty and all three members of the board **voted unanimously to approve** the motion. Carol Cochran, who has been acting as secretary for the meeting, and all audience members left the room.

- Post-Executive Session: Dina Walker stated the following: "After the executive session just held, I **make a motion** that the board assume responsibility for decision making authority of municipal employees."
- The motion was **seconded** by Lisa Miller. All three board members **voted unanimously to approve** the motion.
- Richard Doughty **made a motion** to adjourn the meeting. The motion was **seconded** by Lisa Miller. All three board members **voted unanimously to approve** the motion for adjournment.

Respectfully submitted,


Carol J. Cochran, Town Clerk