

TOWN OF BELGRADE
BOARD OF SELECTPERSONS MEETING
TUESDAY/ JULY 7, 2009/ TOWN OFFICE/ 7 P.M.

Meeting Convened 7:00 p.m./ Entered into Executive Session 8:55 p.m./ Re-entered Board Meeting 9:12 p.m./ Adjourned 9:15 p.m.

Officials in Attendance:

Dan Newman	Selectperson, Chair	Jack Sutton	Budget Com, Chair
Chris Merrow	Selectperson, V. Chair	Scott Damren,	Facility Maintenance
Melanie Jewell	Selectperson	Linda Bacon	Board of Parks & Rec
Ricky Damren	Selectperson	Dennis Keschl,	Town Manager
Bruce Plourd	Selectperson		

Others in Attendance: Michael Caliendo and son

Order of Business:

1. Dan Newman declared a quorum and opened the meeting at 7:00 p.m. The Board reviewed the meeting minutes of the June 16th meeting. Ricky Damren made a motion to approve of the minutes as amended. Melanie Jewell seconded the motion.

CLOSED 5/0

Unfinished Business:

1. The Town Manager informed the Board he had checked into Brook Valley snow plowing operations further. Their intention was to sub-contract the job to Family Tree here in Maine. The Manager contacted Family Tree and they said they would need a place to park their equipment in Belgrade and the manager informed them this would not be possible. The company was given until June 30th to respond back. The Town Manager said he has not heard from them. The Town Manager is recommending the Board award the contract to the Warren Brothers, as they have done a good job and there have been few complaints. Ricky Damren said he agreed the Warren Brothers have done a good job, but he felt this also defeated the purpose of going out to bid. He said he hesitated to go with another company unknown to them, as there is no bond requirement. Melanie Jewell asked why the middle bidder, Pavement Plus was not looked into, as this bid was less than the Warren Brothers and that it should be followed up on. She reiterated Ricky's comment on the RFP process. Dan Newman asked if the Manager would contact both the Warren Brothers and Pavement Plus to see if they would buy their fuel from the town and what could be negotiated through the contract. The Board requested the Town Manager contact the officials of Rome and speak with them about Pavement Plus snowplowing history with them. The Board requested the manager check the references of Pavement Plus. Ricky Damren made a motion to table the award of the North Belgrade Snowplowing contract until the July 21st board meeting, until the Town Manager updated the board on the references of Pavement Plus and the information regarding potential contract negotiations with the use of the Town's bulk fuel. Melanie Jewell seconded the motion. **CLOSED 5/0**

2. The Town Manager informed the Board that the Town's Commercial Development Review Ordinance has a section on Adult Businesses. The Board reviewed the information. Melanie Jewell said she would like to see the location distance bumped up and the guidelines expanded. Melanie Jewell made a motion to authorize the Town Manager to take the request to the Planning Board for their review to amend the ordinance to allow for further control. Chris Merrow seconded the motion. **CLOSED 5/0**

3. The Board reviewed the cost of the containers for the Sound System Equipment. Ricky Damren made a motion to approve of ordering two containers to place the Sound System equipment in. Bruce Plourd seconded the motion. **CLOSED 5/0**

New Business:

1. The Town Manager explained that the reason the Town Property in Belgrade Lakes Village, is on the agenda is because of the discussion at the last board meeting concerning "squatter's rights". The Town manager has looked into "squatter's rights" and said it is true, after 20 years. This raises the issue about the Town property on both sides of the Dam in Belgrade Lakes Village. Currently the property is being maintained by Patti Kimball for approximately the last 20 years. Ms. Kimball has planted perennial flowers, along with placing her personal outdoor furniture and no trespassing signs on the town property. There is no documentation that an agreement exists between her and the Town of Belgrade. This raises a potential legal issue, maybe not with Ms. Kimball, but with an heir or whoever inherits the property after she is gone. The Town Manager said Ms. Kimball had come into the office in October to discuss the trees on the Town property and she felt that they were hazardous and needed to be cut. **(Please see the attached documentation)** The information is dated and at that time she was told that there have been questions about why this property was posted. The attached information is dated and gives the town some sense of adverse action. Melanie Jewell stated she would like to request that the signs come off the town property before this becomes an issue with another potential property owner. Dan Newman agreed and felt something needed to be done. Melanie suggested that the Town award her with a certificate or plaque for her service of maintenance to both of the town properties. The Town manager will write a letter stating while the Board appreciates the efforts she has made to keep the property in shape, there are legal issues and this is public property and not personal property. Melanie Jewell recommended that in the letter the manager address the issue of her personal property on the public property and informs her that the town is not responsible for her furniture; therefore she should consider removing it off the public property. The letter will also state that the "no trespassing" signs will need to be removed from the town property. Jack Sutton commented that the town may want to file a copy of the letter at the registry for the purpose of public notice. Melanie Jewell made a motion for the Town manager to send a certified letter to Ms. Kimball with the above concerns addressed. Ricky Damren seconded the motion. **CLOSED 5/0**

2. Michael Caliendo and his son were present for the board meeting, concerning a request for signage both North and South on Rt. 135 near their home. Michael and Jim

Thomson-Caliendo have adopted a deaf child and would like signs placed to alert drivers. The Town Manager had spoken with DOT and they stated that generally the signs do not help much, and it is the Town's responsibility to place specialty signs if they are requested by residents. The Board informed Michael that the Town would put up the signs, but he and Jim would be responsible for paying for the two signs and the posts. Michael said he did not feel they should have to pay for the signs, that the town should put them up. Melanie replied that the policy is that the individuals requesting the signs would be responsible for payment and the town would install them at no cost. Ricky and Dan both agreed, this has been the policy and they would not want there to be any kind of fallback on the Town from those residents who have already had to purchase their signs and posts. Ricky Damren made a motion to approve of the installation of two lime green signs that say "Deaf Child at Play", running both North and South on Rt. #135, with the understanding that Michael Caliendo and Jim Thomson-Caliendo are responsible for paying for both of the signs as well as the posts. Melanie Jewell seconded the motion. **CLOSED 5/0.** Michael requested they be contacted concerning the costs of the signs and posts.

3. Linda Bacon was present for the meeting concerning the landscaping project to be done at the Center. She said she has the DEP site permit application for the project. This will cost \$100. (Please see the attached project information sheet and the pictures of the location of the proposed project) Linda said they planned to have the area loamed and grass seed spread. Bruce Plourd said the price given does not include the loam or the grass seed, and that loam is fairly expensive as well as grass seed. Linda said the BPR would have to discuss this. Melanie Jewell made a motion to authorize an amount of up to \$600 out of the landscaping budget for the Center, to pay for the DEP site permit and the work to be done by Kevin Hawes at the Center. Bruce Plourd seconded the motion. **CLOSED 5/0**

4. The Town Manager said he has had conversations with MMA concerning petitioning on town property. They said the Town should have whatever is drafted, reviewed by our town lawyer. There are no examples or existing policies out there. Some towns require a permit process for this kind of activity which may require an ordinance. Ricky Damren said that he is not in favor of this kind of activity taking place here at the Town Office or at any of the Town Fire Stations. Melanie Jewell asked if the Transfer Station Committee has had any input on the draft policy, as she feels that they need some kind of direction to provide to residents who may want to petition at the Transfer Station. The Town Manager said that he had used many of the suggestions from the TS Committee in the draft document. Bruce Plourd said the document needs to say point blank, if you do not follow the rules, you will be asked to leave the location. Dan said he thought that people should have to come into the office to register and then be handed a list of rules. Also discussed was designating who the authority would be at various town locations to determine the rules are being violated. The Town Manager will continue to work on the policy and bring it back to the board.

5. The Town Manager informed the board that he did not feel that there would be a cash flow issue. No action was taken.

6. The Town Manager informed the board that he had sent the request of Marla Duperry to use the NBCC for a pre-school to the Board of Parks and Recreation. It is on their agenda for Wednesday, July 8th. He asked if the BPR approve the use of the facility would the board authorize him to draw up a contract and if so at what price. Melanie Jewell stated that the playground equipment would need to be inspected. The Manager stated that Bob Thomas from MMA has already been to the facility and has inspected the equipment. Some of it has been repaired by Scott Damren. Ms. Duperry has also indicated that she may do some of the repair or replacement of the equipment herself. The Manager stated he thought the rental may be \$400 to \$500 a month and he will bring back the price to the Board. . Ricky Damren made a motion to authorize the Town Manager to work out a contract with Marla Duperry for the rental of the NBCC for a pre-school contingent on the approval of the Board of Parks and Recreation. Melanie Jewell seconded the motion. **CLOSED 5/0**

7. The Town Manager informed the Board that the Planning Board had requested the services of the Town Lawyer for the Clyde Fowler case. They also had the lawyer's office draft the findings of the case. This has resulted in a invoice of \$5,336.60. **(Please see the attached invoice)** The Town Manager informed the board he is considering taking the money to pay this bill out of the \$20,000 in the budget for Code Enforcement violations, until he can see where else the money can be taken from. Melanie Jewell asked the status of the permit. The permit was denied by the Planning Board and there has been so submission of an appeal to the Appeals Board. The Board took no action and the money will be taken out of the Code Enforcement Officers violation budget. The manager will bring this back to the Board to determine if money should be moved from another location.

8. The Manager informed the board that the designee of the Boston Post Cane is Esther Childs. The Cane will be presented in memoriam. Esther will receive a pin and a plaque. The event will take place on Wednesday, July 8th at 1:00 p.m. at Esther's home. Ricky Damren said he would try to be in attendance. No action taken.

9. The Town Manager informed the board that he had been in touch with the RSU members. He had received a call from one of them expressing the sentiments of both. They have agreed to come into speak with the Board, but would like to have a specific topic, with an advance agenda and only as frequently as necessary. The board agreed and one topic of discussion they would like to discuss is what would happen if the RSU law is overturned along with budget issue discussions. The board agreed to have a one of the representatives come into the office for the August 4th meeting and to invite the town's elected legislative representatives.

10. The board reviewed the **Municipal Warrant # 29** for the amount of **\$528,162.08**. Ricky Damren made a motion to approve of **Municipal Warrant # 20** for the amount of **\$528,162.08**. Melanie Jewell seconded the motion. **CLOSED 5/0**

11. The board reviewed **Manual Warrant # 2397** for the amount of **\$25,665.05**. Melanie Jewell made a motion to approve of **Manual Warrant #2397** for the amount of **\$25,665.05**. Ricky Damren seconded the motion. **CLOSED 5/0**

Updates & Announcements:

- * The Manager informed the board that the BRCA has put together a plan for the Long Pond Beach property to help with the erosion control and to help to improve the lake quality. He has asked Peter to check to see if there are any 319 monies available to help pay for this project. Then we will see if we can get the costs reduced.
- * There was a \$7,000 in savings with the paving asphalt escalator
- * The Town has gone with the state for the salt contract for the amount of 900 tons
- * The road survey data information has been gathered and Jerry Douglas will be coming into the office to give some guidance on the project and then the manager will ask the road committee to take the project and work to convert all the roads back to 20' roads.
- * The deed for Loon Call Road cannot be located, it is being worked on.

Ricky Damren made a motion at 8:55 p.m. to enter into executive session for the purpose of discussing a personnel issue as required by Maine State Statue 1 M.R.S.A. § (6) (A)

Melanie Jewell seconded the motion. **CLOSED 5/0**

Ricky Damren made a motion to re-enter the Selectpersons meeting at 9:12 p.m. Bruce Plourd seconded the motion. **CLOSED 5/0**

Ricky Damren made a motion to adjourn the meeting at 9:14 p.m. Melanie Jewell seconded the motion. **CLOSED 5/0**