

Minutes of Public Hearing
Dangerous Building - 30 Webb Avenue
August 3, 2016

Members Present: John Black, Ruth Cushman, Tiffany Maiuri, Jeffrey Rowe, Jeffrey Adams and Rhonda Irish (Town Manager)

Also Present: Ann Bryant, Justin Futia, Ben Hanstein, Lauren Abbtate, Siiri Stinson, Shirley Thompson, Mary Sirois, Ted Sirois, William Rice, Donald Hamlin, Justin Brooks, Tracy Brooks, Mark Brooks, Mary Kirby, Dale Welch, Adam Cote, Frances Haugen, Danielle Flannery, Paul Soucie, Valerie Soucie

The building at 30 Webb Ave was first discussed in 2009, and the Town Office received more complaints in 2015. There is a tree that is down through the building and there is mold and animals inside the home. No one lives there at this time. The mortgage holder has explained that the insurance company will not pay for the damage because it is a result of negligence. Our former and current CEOs believe that the building is beyond feasible repair.

Questions/Comments from the Board and Audience included:

Ruth: What is the status of taxes on the building? They are current.

Jeff Adams: We have been told it can't be fixed? Yes, it would need to be torn down, we need to check for mold and asbestos in the building. It would have to be repaired by the homeowner.

Ted Sirois: Lives across the street and there has been no rolled roofing or otherwise for over three years. You can smell that it is full of mold. He has seen squirrels in the building.

Frances Haugen: It is all overgrown with bittersweet and it is growing into local gardens.

Paul Soucie: There is an odor and the Town would be within its right to mediate the building; the structure takes away from the value of the lot.

Bill Rice: Mold is a major environmental problem and he will call EPA if the building doesn't go. He is concerned about critters that live there that are going into other homes. The main focus is that this is a health problem and he would ask that this be the driving force in the decision.

Valerie Soucie: Doesn't feel like she can use her deck, she cannot invite people over to use her outside property because of this.

Tracy Brooks: The smell is beyond horrendous.

Mary Kirby: Feels bad for the owner, the neighbors have asked if they could help, but the house was just let go. It depreciates the value of the other homes.

Don Hamlin: Lives on Eastern Ave. and the smell keeps him from walking by the home.

Shirley Thompson (the homeowner): She has no excuses and she is responsible. She has not been able to be at the property all of the time, and did not wish for it to be abandoned. She does not get use of her property either. She has had issues when she was at the property including when she was in her own back yard and someone tried to run her over. Things have been stolen from her property and children have been allowed to build forts on the lawn. She has sent people over to fix the property and they were badmouthed so bad they stopped working. She never did report the issues to the Police. People are within their rights to complain, but she did try to do something. The last time she lived in it was four years ago. Her plans may be limited by costs because she can only afford to do so much.

John Black: What are your plans? Hopefully to tear it down.

He would like a definite time frame for the work to be done, and would like to see a time frame for her to hire a contractor to get the work done.

Jeff Rowe: we need to find out if we are dealing with the homeowner or the mortgage holder.

Siiri Stinson: If the Town takes it down how is it funded? We would take it out of demolition funds or contingency funds and it would be paid back through legal action or as a supplemental tax added on to the property taxes.

Justin Brooks: If she removes the house she still owns the property, because the house isn't the only issue, the lawn is also an issue. Yes, she would still own the property, only the mortgage holder can foreclose on the property.

Tiffany: has been at the property several times and has met with several residents and she understands that there is also a problem with the trees and this needs to be part of the solution. Public Hearing closed at 7 pm.

Minutes of Select Board Meeting August 3, 2016

Item #1 Minutes of the Meeting July 12, 2016

John/Ruth m/m/s to accept the minutes with a correction from the original copy that was sent replacing D. Scott Taylor's name with Ruth Cushman's name; vote: unan

Item #2 Public Comment:

Betty Shibles explained that there are other dangerous and abandoned buildings in town and asked what it takes to get something done? The 30 Webb building was above and beyond some of the others because it was structurally unsafe and had mold issues.

Do you need a group of people to come; because there is another building that children pass every day? There are also critters in this building.

Tiffany: We have to go systematically to deal with the buildings that pose the highest risk. You can contact the Town Office and have the CEO look at the building. The CEO will look at the building to see if the concerns are substantiated.

Siiri Stinson: This has been an issue for a long time and more than one person has said this is a problem. Would this time frame be expected if you brought another house to the Town? It depends on the building, we try to work with people to see what they can do.

Mark Brooks: Certainly hope this doesn't turn into a money issue.

Item #3 Consideration of Action concerning Dangerous Building 30 Webb Avenue

Questions/Comments from the Board included:

Ruth: Would like to see action take place in 45 days and commencement take no longer than 60 days. Have the CEO see if any mold or asbestos remediation is needed.

Rural Development has helped with remediation in other towns.

Suggested contacting CMP about the dangerous tree.

Jeff Adams: Give the property owner a chance before it becomes a burden for the Town, but it needs to be done in a short time frame.

Tiffany: This falls within our Dangerous Building Ordinance and 45-60 days is generous. The Board will take corrective action if she doesn't have the funds. Need to include all the corrective action including rodents and to involve efforts to insure the safety of the neighborhood. It could go out to bid to see what it would cost.

John: It may take up to 45 days to line up a contractor, we would need to be updated every couple of weeks so we are not out 60 days before we may have to take it over. We need to give Mrs.

Thompson time to look into it first; we don't want this to become a burden to the Town.

John/Jeff Rowe m/m/s to Declare 30 Webb Avenue a Dangerous Building and to allow Shirley Thompson 30 days to prove she has a contractor to start demolition

Amend: To file with the Registry to Declare 30 Webb Avenue a Dangerous Building and order corrective action to be taken to have the building removed and have an environmental company or

the CEO make sure that no health hazards, vermin or rodents remain. Commencing no more than 30 days after she receives notice and completed no more than 45 days after receiving the letter;
vote: unan

Item #4 Polar Bear Plunge

Danielle Flannery from Western Maine Community Action explained that this is the fourth year that they have held this event. They saw a huge increase in participation last year when they moved the event to the boat dock. Rhonda explained that there were no issues last year; and the fit girls will hold their run at the same time. The event would be held from 10 am to 1 pm.

Questions/Comments from the Board and Audience included:

Betty Shibles: The Pumpkin Derby will happen at the same time.

John: Do we need to close the canal area? No, just the boat dock at this time.

John/Ruth m/m/s to close the boat dock from 10 am to 2 pm on October 22; vote: unan

Item #5 Property Maintenance Ordinance - Abandoned Building Amendments to Ordinance

A draft was handed out at the last meeting and this is one of our most used Ordinances; this would give a little more teeth to our Property Maintenance. This is for abandoned properties including those in foreclosure and those just left alone. Registration would be required and this would help us be able to have owners cover up broken doors and windows. In the original Ordinance only included the Downtown Village, Commercial and Residential I, the abandoned buildings would apply to all. Rhonda suggested that they send it back to the Ordinance Committee for clarification.

Questions/Comments from the Board and Audience included:

Tiffany: Would like to thank the Ordinance Committee for going through the entire Ordinance, it is very well written and very thoughtful. She would only ask for consolidation of Section 7G; and reconcile the language between Section 5G and 7G so that all are held to the same standards. Would like to add lawn maintenance and if the location is deemed a safety issue by the Chief of Police.

John: The regulations are kind of loose regarding aspects such as maintenance mowing. I would like to see a specific time frame listed.

Jeff Adams: Thinking of Personal Property rights this needs to be inclusive of everyone in Town. This set of rule need to apply not only to abandoned buildings, but to all buildings.

Jeff Rowe: We can't single out people if we want it to work.

Ruth: Do we have a formal complaint process? There is a request for action form at the Town Office.

Tiffany: Having these properties impedes our opportunity for Economic Development.

Betty Shibles: Where do we take it from here; the Wilton Group would like to have an open forum to discuss this before Town Meeting. Rhonda explained that there will be Public Hearings before Town Meeting to discuss this.

If there is a property owner in Town that has several properties it is difficult to deal with this.

Mark Shibles: We need to keep our eye on the ball and not get lost in the details.

Siiri Stinson: Have there been an issue with people complaining about their neighbors unmowed lawn? Not from individual people in their homes.

Even if you only own one property and you are low income it can take time to find resources to fix up your property.

Ruth/John m/m/s to send the proposal back to the Ordinance Committee with the suggestions received.

Item #6 Consideration of 2016/17 Waste Treatment Department Budget

This will be a six month budget and they will start the process of rate increases in September. The items at the sewer plant are on schedule and there will be a small change order for the SKADA system and the compost area.

Jeff Rowe/John m/m/s to approve the 2016/17 Waste Treatment Budget; vote: unan

Item #7 Public Works Department

A. Paving and sidewalk work: all of the in town streets and the back of Temple Road will be done the week of August 15-19. The Colby Miller Road will be reclaimed on August 29 and will be liquid asphalt chip sealed on September 6. The Butterfield Rd. will be sand sealed on August 8 and they hope to start the sidewalks on August 16. Farmington has paved a portion of Seminole Drive and we have extended the paving to finish our end of the road. The cost to do this is \$6,500, this was not planned for this year, but since Farmington is already there it made sense to do it now.

B. Someone ran into the boat dock, so they have taken the old dock from Kineowatha and replaced it. Rhonda has submitted a bill to the driver's insurance company.

C. The Zero Sort containers are now 30 years old and the quotes for new ones were Waste Group \$13,900 and Atlantic \$13,200 as the price of fuel goes down so does the price of steel and vice versa. He recommends going with Atlantic.

Jeff Rowe/John m/m/s to accept the bid from Atlantic Recycling for \$13,200; vote: unan

D. Bay Doors at the Highway Garage: The garage is in need of four doors and three openers the quotes he received for these were from Overhead Door for \$11,710 and PDQ for \$14,220.

Overhead Door is Dale's recommendation. John Black explained that he has always had good luck with Vienna Garage Doors, and they may have been able to save money.

Ruth/Jeff Rowe m/m/s to purchase from Overhead Doors for \$11,710; vote: unan

E. Tree Work at Weld Street Cemetery: There are a number of trees that need to be cut or pruned the trees marked with yellow ribbon need to be cut down. The money to cut the trees will be taken out of the Cemetery Account.

Bids were:

Arbor Mountain: \$7,880.00 Brooks Tree Care: \$8,200.00 Deep Root Tree: \$2,100.00

Smitty's Tree Work: \$9,775.00 Hidden Hills Tree Service: \$5,000.00

Questions/Comments from the Board and Audience included:

Jeff: How many trees will be cut? Eight or nine, there may be three or four more.

John: Now if the bid needs to be changed he will know what the other bids are. The bids would not be released until Rhonda spoke with him.

Ruth: has had personal experience with Deep Root and has had good luck with them.

Siiri: Deep Root also did some work at her property and did a really good job.

Ruth/John m/m/s to go with Deep Root Tree Service; vote: unan.

Item #8 Consideration of Awarding Kineowatha Park and Foot of the Lake retaining wall bids

Rhonda would like to table this because she did not receive bids in time. She has a couple of questions that need to be answered. It will be on the next agenda.

Item #9 Manager's Report

A. Cemetery Workshop: It is booked solid and any costs that are incurred will come out of the Cemetery Trust Fund. Our costs will be mostly from the rental of a porta potty and pea stone. We will be looking for donations of food items.

B. Downtown Revitalization bid opening August 11: The RFP's were sent out from Wright & Pierce and they will be opened at the Town Office at 2 pm.

C. Forster Mill QEP RFP deadline August 5: the deadline has been moved to the 19 and we are still brainstorming for ideas for additional demolition of the Forster Mill.

D. Draft Personnel Policy: The Town really needs one. It needs to be approved at some point would like some guidance to see what she should do.

Questions/Comments from the Board included:

Jeff: Is there a missing time/leave policy? This needs to coincide with the contracts.

Tiffany: Nothing in the Personnel Policy supersedes the contracts, it only augments them.

Ruth/John m/m/s to have the policy looked at by MMA personnel and to leave it to the discretion of the Town Manager to have the legal department look at it.

Item #10 Other Business

A. Quit Claim Deed the taxes have been paid, but the liens were never released for properties at 22 Curve St and 15 Knapp St. Ruth/Jeff Rowe m/m/s to release the liens on the properties at 22 Curve St and 15 Knapp St; vote: unan

B. Catering Permit for Calzolaio's Pasta Co.: They had requested a permit for the Blueberry Festival so they could serve outside, as she has done in the past Rhonda signed that permit. They would like to be able to serve alcohol at the Business after Hours event at the Farm and Home Museum. Rhonda explained that these are only applicable to the event and are issued by the State after Board approval.

John/Jeff Adams m/m/s to allow Catering Permit for Calzolaio's Pasta Co for Business after Hours event at the Farm and Home Museum; vote: unan

C. Revaluation letters have been sent out and if there are questions residents can contact O'Donnell and Associates to set up an appointment.

D. Heidi would like the Reserve Police Officers to be paid more an hour if they are certified (Blue Pin) Police Officers, they are currently paid \$12 an hour when they work for us. She has three certified officers who would like to be on our reserve list if we were to increase the hourly pay. Would like to suggest \$13/hr for non certified officers and \$16/hr for Blue Pin officers. These would be part time positions with no benefits.

Questions/Comments from the Board included:

Tiffany: There is a risk benefit and this is used so infrequently it will be worth it to the Town. The Chief covers a lot of shifts right now when she can't get officers.

John: Even if we do use them more it would be beneficial because nobody will work for \$12/hr.

Jeff: Is there an issue with the availability of officers if we don't raise the pay?

Ruth: It gives us relief in case of a vacancy.

John/Jeff Rowe m/m/s to move the pay scale of Reserve Police Officers to \$16/hr for Blue Pins and \$13/hr for non Blue Pins; vote: unan

Item 11 Approval and signing of Disbursement Warrants

Jeff Adams/Jeff Rowe m/m/s to approve and sign the Disbursement Warrants and adjourn; vote: unan

Adjourn at 8:40 pm