

Minutes of Select Board Meeting
February 6, 2018

Members Present: Jeff Adams, Tiffany Maiuri, David Leavitt, Ruth Cushman, Keith Swett and Rhonda Irish (Town Manager)

Also Present: Heinz Gossman, Charlie Lavin, Liz Marquis, Tom Marcellino and Heidi Wilcox

Item #1 Minutes of the Meeting January 16, 2018 and January 22, 2018

Ruth/David m/m/s to accept the minutes with a correction to the January 22 minutes to spell discover correctly; vote: unan

Item #2 Public Comment - None received

Item #3 Bid Opening - Adams Street Foreclosure Property, Map 06 Lot 26

*** Keith recused from discussion as a family member has put in a bid***

Jason Lucarelli \$6,245.00 Savannah Cole \$6,500

Tom Marble \$15,100 Cody Stewart \$ 10,309

Ruth/David m/m/s to award the bid for the Adams Street property Map 06 Lot 26 to Tom Marble for \$15,100; vote: unan

Item #4 Consideration of Approval for Mobile Fish Bait Sales at Wilson Lake

The Planning Board approved the Bait and Tackle Shop downtown, but the agreement between the landlord and the business owner did not work out. He will now be running the shop out of his house. He would like to be able to sell bait at the foot of the lake on the weekend of February 16. We do not have specific rules for this and have gone by the guidelines from the State in the past. Charlie Lavin (CEO) explained that in the past there has been a hot dog stand that was brought before the Select Board.

Questions/Comments from the Board included:

Keith: The Ordinance is in place for a reason, if the Ordinance already covers what he is trying to do we don't specify whether or not it is mobile.

The Select Board is not here to supersede the Planning Board and the Code Enforcement Officer, even if the word mobile is not in the Ordinance we are overstepping our bounds.

Ferrier's do their work at different locations and are not tied to one spot. Charlie explained that the Bait Shop owner has an in-home office and they didn't address him moving around. I will vote against this, not because I have a problem with it, simply because the CEO needs to address this.

Jeff: This must have already happened many times? This is only the second time since Rhonda has been Town Manager

We will need to make sure that we have the language going forward

David: Are there any Fish & Wildlife regulations? He has a bait dealer's license through Inland Fisheries.

If he is already approved as a vendor is he covered? Charlie explained that the Planning Board approved him at an address with hours. The application is set up and designed for a stationary location.

He agrees with Keith and will also vote against it.

Tiffany: Do have the authority under State statute to do this.

If it is already covered we need to make sure in the future that the Planning Board reviews the applications to make sure that they consider if the operation is mobile.

Ruth: This isn't in State Statute? Rhonda will check.

Tiffany/Ruth m/m/s to allow a mobile vendor permit for Mobile Fish Bait Sales to sell bait at Wilson Lake during the fishing derby on February 16, 2018 and sporadically on other dates; vote 3-2 (David and Keith opposed)

Item #5 Consideration of 2018 Water and Wastewater Budgets & Quarterly Report

Heinz Gossman the Water/Wastewater Superintendent explained some of the reasons for the differences between this year's budget and last year's. The Wastewater budget is \$802,176.

*The water budget has not had a rate increase since 1993 and the budget is currently using money out of the fund balance to make up for the shortfall.

*They have combined some of the salaries in wastewater rather than having them as separate line items.

*There has never before been a heating system for the plant and there now is one. They need to keep the building at 55 degrees because of the computerized systems in the plant. An unknown is created in that Central Maine Power is planning on raising their rates in the future. The department has not fully taken over the plant.

*The revenues that were collected for the wastewater were higher than expected.

*No grant funds have been released to pay for the tractor that needed to be replaced.

*We are producing more solids in compost so we need more chips for this.

*We are trying to raise manhole covers to match the blacktop the Highway Dept. will be putting down.

Wastewater Questions/Comments from the Board included:

Jeff: The treatment plant compensation is quite an increase? The salaries were combined under one category rather than under several categories.

What is the difference? 2% which is part of the union contract. It is figured in with overtime that is about 221 hours per person; this was used to make an average.

What are employer contributions? The administration includes the utility clerk and the insurance for the employees.

Keith: The sewer budget is hard to read because the numbers are so different; is it an increase of \$40,000? The Capital Expenditures were used for propane. The debt principal and debt interest are almost half of the budget, last year there was an error in these numbers.

Ruth: The safety budget has gone from \$808 to \$5,000? We had to do some extra training this year because we are behind on our training. This number also includes the cost of harnesses. We actually spent \$6,900 in training last year; we had to pay some fines, if it isn't needed it won't be spent.

David: Lines 510-8 and 31 are all expenditures for heating? No, Capital Expenditures is for Capital Expenditures; we are required to put some money away from the revenues as part of the loan.

Tiffany: This budget is much easier to digest and appreciate the hard work that went into it.

Water: They are working with the PUC to decide the best way to deal with the shortfall. This budget cannot be condensed because the PUC dictates which line items are required where. The revenues were not what were expected and there was a \$59,000 shortfall. The costs for

fire hydrants will go up in their costs to the Town. Rhonda explained that we are nearing the end of the payments for the loans for the water department. The disadvantage is that as we are closer to the end of the loans the interest rate also goes up.

Questions/Comments from the Board included:

Tiffany: Are we still seeing a downward trend in North Jay water usage? It has been going down and is just now starting to go back up. Usually when rates go up people are more aware of their usage.

There are major projects that need to be done to the plant, because we have a shortfall they are not getting done?

Keith: Do we pay a charge per hydrant or just a flat fee? We have to pay approximately 30% of the budget for hydrant rental.

Jeff: Did we remove some hydrants? We may have removed a couple

Do we have private fire protection? Businesses that have sprinklers

Will we take into account that our loans are almost paid off when we ask for an increase from the PUC?

Ruth: Why is sales tax built into the budget? It is required by the PUC that it be in there, Rhonda will check and bring the information back to the Board.

Quarterly Water & Wastewater Reports

Sewer: Nearly done with the plant, they are just down to painting and the brass tags. The generator will not come until March. The yard work and fencing will be completed after the snow has melted. They are working with CMP to make sure that the transmission lines will be all set.

Water: Everything is moving right along.

Item #6 Forster Mill Update

The asbestos was completed as scheduled and now they have moved into the demo portion of the contract. All of the windows in the building need to be removed by hand because there is more asbestos in the caulking of the building. The costs are still up in the air on this work. After the windows are removed the real demolition will begin. The week of January 29, 2018 started the ninety day demolition window.

Item #7 Consideration of Acceptance of Donation to Police Department

The Police Department was given a donation of \$1,000 to use at the discretion of Chief Heidi Wilcox. In the past the money has been used for Trunk or Treat.

David/Ruth m/m/s to accept the donation; vote: unan

Item #8 Discussion of creating Marijuana Ordinance and Zoning Table for Marijuana Cultivation, Sales and Testing

We are getting closer but we don't have anything in place as guidelines for the Planning Board. It has been recommended that we need to have something in place. The Planning Board will need to have direction from the Select Board before going further. The Planning Board meetings are also Public Meetings.

Questions/Comments from the Board and Audience included:

Charlie: We attended a seminar that pointed out the fact that the Legislature put forth the bill that Communities could opt in; but the referendum said that Communities could opt out. Which direction do we want our Community to go?

Personal use has been allowed, but retail sales have been pushed back. We would like to set up a licensing and permitting process.

Rhonda: We are hearing nothing about it at the Town Office and the Referendum was turned down by less than twenty votes in Wilton.

Keith: Do we have another business that have a limited number of shops? Not, that we are aware of, this would be unique and comparable to a liquor store.

We want to make sure to not include processing.

David: This is not about limiting the number, but limiting the location in relation to residential areas.

Ruth: Agree with David don't think we want to limit the number, but limit the location.

Tiffany: We have an Ordinance that covers us at the moment? We have a zoning table that is very specific, can those tables give the Planning Board some direction? We could put in a table for commercial uses and it could be considered an adult business.

Jeff: The business owner could come before the Board for approval annually much like a liquor license does.

Tom Marcellino: Would you make an exception for a retail space rather than a growing operation; it may be wise to separate them. Charlie explained that if it is retail it can be considered an adult business. There is already cultivating in Town but there is no manufacturing or testing.

Potentially a retail establishment will be required to give the percentage of ingredients of what is being sold. It might be wise to consider a testing site in conjunction with one of the other facilities.

Board Consensus to make a licensing policy for retail and a separate section for selling not including cultivation.

Item # 9 Request for Town Maintenance of East Wilton Cemetery

An email was received from John Black that the East Wilton Cemetery Association is dissolving. There is currently \$2,798 in the account to help take over services. Would we like to put this issue on the warrant? We would see if the Association would take care of the property until July 1 when the new budget goes into effect. The road is in good shape, but there are about 100 stones that need to be fixed at some point. We might need to do a title search on the property, they have maps but hard to know how up to date they are. We currently have a thirty hour person who would go to forty hours, a twenty hour person and would likely add an eight hour person.

Questions/Comments from the Board included:

Keith: Are there any drainage issues? Don't know

David: The first step is to find out if we own it, wouldn't it be a moot point? We would still need to vote on it at Town Meeting.

Ruth: Don't we have an obligation to the Veterans buried there? We already take care of the Veteran's graves.

Jeff: How do they fund it? From selling lots, now they are almost out of money.

There is no endowment that comes with it? No

Keith: If the Town of Wilton doesn't own it who else would? Believe that the East Wilton Cemetery Association would.

Tiffany: Town Meeting is definitely the place to have that discussion.

Item #10 Parking and Traffic Ordinance Considerations - Public Hearing February 20, 2018
The Public Hearing Notice for the February 20, 2018 meeting has some suggestions: do we want to offer overnight parking to specific tenants or open it to everyone.

Questions/Comments from the Board included:

Keith: Need to design something in writing to deal with the tenants to help the Town be able to plow these lots.

Jeff: It is a Town parking lot and we need to be able to take care of it.

Item #11 Manager's Report

A. There are vacancies on the County Commissioner's budget committee. They will caucus on March 5, 2018. Really need to attend if we want someone from Wilton to be on the Board.

B. Façade Grant: Moving forward with the businesses and will be doing interviews in February 9. This is a requirement of the grant.

Item #12 Other Business

There is a Quit Claim Deed that needs to be signed for Celand Noyes' property on Orchard Dr. The taxes have been paid in full at this time.

Ruth/Tiffany m/m/s to sign the Quit Claim Deed for Celand Noyes; vote: unan

Item #13 Item #9 Executive Session pursuant to 1MRSA § 405(6)(A) Personnel and 1 MRSA Sec. 405(6)(F) Poverty Abatement;

Ruth/Keith m/m/s to enter into Executive Session pursuant to 1MRSA § 405(6)(A) Personnel; vote: unan entered at 7:42 pm out at 8:01 pm

Ruth/Tiffany m/m/s to enter into Executive Session pursuant to 1 MRSA Sec. 405(6)(F) Poverty Abatement; vote: unan entered at 8:05 pm out at 9:15 pm

Ruth/Keith m/m/s to adjourn at 9:15pm