

BOARD OF SELECTPERSON

Meeting Minutes

December 26. 2023

Executive Session- 6PM- 6:20PM 1 MRSA € 405 (6) (A)

CALL TO ORDER:

Katie called the meeting to order at 7:00PM with the Flag Salute

SELECT BOARD MEMBERS IN ATTENDANCE:

Gil Harris, Brady Connors, Wade Andrews, John Medici, Katie Proctor

MEMBERS IN AUDIENCE:

Alesha Buzzell, Steve McLean, Gail Libby, Joanne Andrews, Neal Meltzer, Dave Coleman, Rob Fossett, Janet Robinson, Lori Harmon, Cindy Mullis, Stephanie Bishop, Stan Hackett, Vinnie Pelletier

MINUTES:

Motion to approve the minutes: Brady **motioned**, Gil **seconded**, **all** in favor, **one** abstained.

WARRANT:

Motion to accept warrants: Wade **motioned**, Brady **seconded**, Katie has one question for Laura about something that was paid for the Fire Department.

ANNOUNCEMENTS:

Read Announcements: Brady read the announcements.

DEPARTMENT REPORTS:

Joanne Andrews, LAAC-

She gave the Board a list of Lake Arrowhead lots that can now go for auction or for sale. She also gave the Board the major changes that have been made for tax acquired properties. There are three ways the Town acquired these lots, they were through settlement lots, tax acquired or through the court. The Town is exempt from having to pay the owner that lost the property because it was taken for one of the above reasons. She also gave the Board the MMA ruling that confirms this. She also provided a summary of all the Lake Arrowhead lots that were sold in 2023 and they were all tax acquired so the Board does not need to worry about the funds that were received. She provided the legislative laws for the Board to review as well. She believes this should be on the March ballot because the people need to vote how to get rid of the lots, can be through a broker or auction. Even though all lots are exempt, the sales laws still need to be followed. The committee also looked briefly at other Town owned properties. The Town voted to put two lots in Conservation Easement, this is not as easy and is very extensive. This should be brought back to the people to have this reversed as well as the piece on the Dog Road which was set aside for Recreation.

BOARD OF SELECTPERSON

Meeting Minutes

December 26, 2023

Neal Meltzer, ARPA-

He is speaking on behalf of the Treasurer for the Limerick Water District to speak on the warrant article that Gail introduced to the Board on the Deepvale Project. He wanted to reiterate the importance of this project. The water and sewer district recently replaced Wescott, Maple and Prospect Streets infrastructure and piping that was over 100 years old. Some of the pipes were leaky and old and water and sewer pipes were in the same ditch. This has completely been rebuilt with new piping. As part of this project, they learned that there is some additional 100-year-old piping in the same ditch that extends down Prospect Street towards Central Avenue and goes towards Dora Lane. Also, part of Emery Corner Road up to Watson Hill Road needs replacing. They have been working with John Cleveland, the Revitalization Committee, water and sewer district on applying for a Community Development Block Grant to do the infrastructure work. The project will be over a million dollars. If they can receive the funding, this should be in 2025. The most they can get from the CDBG is \$1,000,000 so getting matching funds is critical since it will cost more than that. Last week Gail introduced an article for the warrant. The project will be challenging on funding, so he is asking the Board to put this article on the warrant and that they support it. The water and sewer district has taken these two projects seriously to increase the quality and safety of the water. John asked if the article should say matching funds upon approval of the CDBG funds or other sources. He just wants to see the funds used for this project only and Neal agreed. The Board will add this article to the warrant.

Vinnie Pelletier, Fire Chief-

New Fire Station update- Below is a list of upcoming construction events as well as what's been completed recently, exterior canopy framing and panels on left side of building, interior walls have been insulated, the form has been placed on the concrete sidewalk and condensing pad, excavated the conduit to run power into the building from the temporary service, filled in the column bond outs with concrete. In Progress- working on the exterior door and window installation, door wood framing at openings, insulation, and drywall at basement joists, and framing the basement interior walls and stairwell. The garage doors are in the state of Maine and are going to a company for the red paint, they are hoping to install by January 8th. He wanted to talk about PTO pay, he found out that Waterboro cashes out employees in December, they also have per diem and call people. The Town of Acton has a system where they require employees to request vacation time 4 weeks in advance and they add it to the schedule and fill it with another employee. The Town of Limington will allow employees to cash out their hours but per diems do not work a set schedule, so it is hard to plan with their schedules and add challenges. He is not sure the best way to handle this. He believes something should be added to the Employee manual for the Treasurer knows how to pay it out. Vinnie has added PTO cash outs throughout the year in different pay checks. He thinks he has about \$3200 left to pay out for this year, he does have this in his budget. The Board said since it has been paid out all year long, they need to continue paying it for now and add something into the Personnel Policy. He also has a question about the warrant question for the ambulance billing subscription article that was amended in 2010. It says this will remain in effect until amended or repealed at the \$50,000 level so he is looking to have it changed to \$25,000. John said it is up to \$50,000, but it does not say that. John said we agree to take \$25,000 no matter what. Vinnie feels it needs to be limited to the \$25,000 amount but the Board is comfortable leaving the amount at \$50,000 and not to exceed it so this will not go on the ballot. The next article that he would like to discuss the SCBA devices. He would like to add \$30,000 capital account with anticipated costs of around \$150,000 in 2027. This would just be a match like we did last year giving the account \$60,000. John did ask that this is outside of the \$48,000 for gear. Vinnie said it was. This article for the \$30,000 request will go on the ballot. Mike McLean is stepping down from the Assistant Fire Chief role, Vinnie would like to thank

BOARD OF SELECTPERSON

Meeting Minutes

December 26, 2023

Mike for all of his time and dedication to the Fire Department, he was a great asset. He has chosen Robert Fossett to this role who is also a long-time member of the department and will be a great person for this position effective January 1st. John **motioned** that the Board approve as of January 1st Robert Fossett as the Assistant Fire Chief as appointed by the Fire Chief, Wade **seconded, all** in favor.

Stan Hackett, CEO-

YTD the Code office has done \$146,000 in permits and last year was \$194,000, \$95,000 was for solar farms. There are two solar farms in the process in Limerick. Right now, he has 222 active open permits. This is still a lot of permits that require inspections. He has had 74 violations. With the help of Joanne and Denise Benton and DEP, they discovered where the mill land fill was which is in the rear end of the trailer park. They will be doing some well testing on residents all the way to Leavitt Brook and up to Enterprise. They will be able to determine the extent of the issue and they also want to do some test boards all the way to the bedrock because it is no longer in the filtration part, it is in the bedrock, and they will be able to tell if it has broken down yet. If it has not yet, then it will give them a timeline. Once they get the information together, they can try to get funds together from the superfunds or from FEMA and the government to extend the water district to the affected areas so it will not be a burden to the Town. Some of them are beyond the location so a filtration system will be added that will be adequate to handle the contamination. If it has not yet, then it will give them a timeline. Stan is working on the snow dump as well; the DEP has been short 9 employees in their department, but we have been told we will receive a permit. Stan will continue to update. Stan is looking to add a few articles to the warrant. The first one is some changes to the fee schedule; he is trying to have it be more consistent. He wants to remove some things that do not make sense. The big change with the fences is trying to prohibit people from putting fences on someone else's property. He would also like to add a growth permit for new dwellings that would go to the Fire and EMS administrative costs, this is his recommendation. He would like to see \$300 per dwelling, we all know that as a Town grows it costs more so this would help offset. The Shoreland fee would be changed to a flat \$150.00. The next two are changes in the Subdivision Ordinance and Zoning Ordinance. He has been communicating with the attorney on these two. The Planning Board will be reviewing tomorrow night, so they have not had a chance to add their input yet. He wants to add fire protection to the Subdivision Ordinance, section 8. The section he has added would give them an option to add a sprinkler system or cistern. He wants to make sure that the Planning Board makes the builder of the subdivision add an association that is recorded and deeded for maintenance and repair of the systems. If there is anything that is reported by the Fire Chief or CEO then the association has x amount of time to fix the problem. He feels this would eliminate the cost to the Town. The cistern would also have a sight view so you would not have to go put a stick down it to determine how much water is in it. The system would also have two pumps. He feels like if this does not take effect before LD2023, he feels it could be contested to limit their abilities in subdivision. He feels it would be better to have something that could be changed later and not brand new before a subdivision goes in. Another change would be about road and street construction, which has always been a problem when it goes to the Planning Board in defining all of the definitions and understanding streets, arterials and driveways. In this section he added mostly details to clarify. One issue the Town has had in the past is Allaire Drive, with these changes there would be no misunderstandings. Another section he would like to make changes to is Performance Guarantees. The changes he has made would clear up what Performance Guarantees are and that the projects amount is set at 150% of the cost of what the project is, with the consideration of the time frame and what the inflation factor may be. He is not sure now in the Town who keeps track of performance bonds to make sure it is renewed timely without expiring. He is keeping track of the solar farms one. He wants to make sure that is clear, so they do

BOARD OF SELECTPERSON

Meeting Minutes

December 26, 2023

not expire and then the Town is held responsible. He feels this could be kept track of in the Code Office. Another process of this is the inspection and enforcement, it clearly outlines what the violation is and the process of the violation. Next is the wavier piece, in Limerick's wavier section it is very vague and only one paragraph. His changes would explain which are authorized without the Appeals Board and if there are waivers by the Planning Board, then it needs to be on subdivision plans. He feels this clarifies the waivers and what the process is. The last piece is the that we did not have the Severability and Effective Date Clause, and this is just a standard legal terminology at the end of each ordinance. He feels these are mostly administrative amendments other than the cisterns. In the Zoning Ordinance there are a lot of things, but the biggest part is clarifying the intent of the Zoning Ordinance, which is the authority, its purpose and jurisdiction. With the help of legal, he was able to clarify these better. He added an enormous number of definitions because these have been challenged many times. One of the definitions is substantial which applies to many different things in the ordinance, just not whether your permit expires. Substantial also applies to other areas of work, this is why it was added. He has not heard back from the attorney yet but another word he is working on is bulk. This would apply to bulk storage of chemicals and then the secondary definition would be building materials other than what is for sale in lumber yards. There is also a definition of a tree too. He also added a section in the land use requirements that defines and gives purpose to the land use chart. This section was inadvertently removed when the Town adopted Mubec, they thought Mubec covered but it does not. Legal says we do not have to have a Town vote, but he would like to keep as transparent where it is being added back. The change was made to drop this section in 2010. He has been challenged many times as well as the Planning Board, so he has taken on the daunting task of going through every Town report since 1977. He has tracked the changes to get some of these cleaned up. The administrative section was added to define the process of zoning and what the Code office does as well as the Planning Board and the Select Board. This clarifies it all so everyone understands better. The attorneys wanted to remove the two-year renewal on Conditional Use Permits. He said that the Code Officer gives a violation and if it is not resolved within three notices then he must notify the Planning and Select Board, this is in the current ordinance. Anyone of those, whether it is a junkyard or not, both Boards have the authority if they chose to call for a public hearing, they have a right for disciplinary action and a right to start a process after the public hearing to revoke the Conditional Use Permit. This process is a lot cheaper and time consuming. He feels if the rules are followed it will make the process a lot smoother. The last item he wants to discuss but he had some other thoughts after talking to Joanne, he will hold off until June. He wants to discuss with Natalie regarding the Adult Use stores so he will postpone this until June. Stan said he could draft the warrant articles once the Planning Board reviews all. He knows there will be concern over the two-year renewal. Vinnie would like to be involved in the wording for the cistern ordinance. He has not heard of the HOA handling this but likes this part. If this is going to be moving forward, he wants to help with the wording. He just wants to make sure we have all the facts before we start an ordinance. Steve McLean is wondering if the Town should reinstate the Road Ordinance.

Budget Committee-

The Board has completed most of the budget items for the Thursday meeting but wanted to see if the Budget Committee had any questions for the Board. Stephanie emailed Alesha for nine items that have not been posted on the Budget website yet. Recreation has now been posted, housekeeping and contingency was added at 5PM, Alesha will add the administrative cost budget. The others will get added as Alesha and Katie finish. The only contract expiring is with Mellens in December. The Board talked last week about being able to extend contracts one year at a time as they start to come up. This contract will be discussed on the June ballot. Stephanie asked if the Select Board had been given any figures about going with the Sheriff's department. The Board does not want to move

BOARD OF SELECTPERSON

Meeting Minutes

December 26, 2023

forward with this especially purchasing a vehicle and then having the Sheriff pulled for low staff. The timing does not seem right. Stephanie would like the Board to add an article that states that the Board will review the Maine Revenue Service Certification for full equalization value of the real and personal property which is subject to taxation. The State of Maine comes out every two years with the state and all of the municipalities and counties and what they are valued at. They give you a 10% threshold which can be found in the Maine assessing guide. They have said that in January 2023 the Town of Limerick was valued at \$451 million. When the Board did their certificate of assessment in September of 2023, the Board filled in \$396 million which is a 12% difference which puts the Town over the 10% threshold. This means the Town gets less revenue sharing, less Homestead Exemptions, and less Veterans Exemptions. If the Select Board, as the assessors, go out to this website and look at what they value, the Town at and the Town stays within the 10% threshold when they set assessment then the Town will not lose those items. She would like to see a housekeeping article that mandates that the Select Board go out to review this certification, so the Town does not lose these exemptions. She feels this is critical to the citizens. John said that the exemption from this year went from \$17,500 to \$25,000, if the Board had factored again which is what they have to do, they can not just fill the sheet out to be within 10% without reasoning. Last year they factored in at 25%. Stephanie said if we had not done that then she said we would have lost all those sharing's and exemptions. John said but you really do not lose them because the house that should have been \$100,000 is now \$125,000 so instead of a \$17,000 deduction you get the \$25,000 but you take it off the higher value. He feels it does not really affect the average taxpayer's tax bill. Stephanie said that if the Board does go in and estimate the revenue sharing dollars every year, they should really try to stay within that 10% threshold because the Town doesn't go through a complete revaluation every 10 years. John said the Board should be implementing and not just reviewing this article if passed. Stephanie also asked if the Board recommended sending tax bills in April, she does not have a problem with tax bills going early but would be for sending them out end June, mid-July because you will know what the school budget is, and county tax will be. The goal is to give citizens more time to budget and give the Town some cash flow. She also asked how many employees were opting out of health insurance. Katie said it was 6, the amount should be \$42,000 not \$44,000, the Board is going off 7 employees though because there is potential for a 7th employee. She wondered as the Town grows that they look at sun setting this article, John agreed. There was a reason behind it when it was started, it was meant to help off-set health insurance cost and not more like a bonus if they have insurance coverage elsewhere. This will be investigated more. She has a few departmental questions which will be addressed at Thursday's Budget Meeting. Katie would like some clarification on the Public Access budget as well. We also have a maintenance expense at the Municipal for a new furnace. This will be discussed on Thursday. Gail wanted to know if the Board will be recommending any of the recommendations from the Building Advisory Committee. John said that the Town does have a Town wide Capital Account of \$54,000, he said some of the money could come out of that account. He also said that we will have to push off the Allaire Drive article, the Town needs to determine who has rights and owns the road. This all needs to be accomplished at the same time so the Town does not become responsible for the road if that happens first in case the sale does not go through.

OLD BUSINESS:

John **motioned** to postpone old business until next week, Brady **seconded**, all in favor.

BOARD OF SELECTPERSON
Meeting Minutes
December 26. 2023

Cemetery Mowing (Veterans/Cemetery Committee-

Fire Building Update-

Review of Legal Accounts-

FOAA Requests-

Deed work for Tibbetts Park update-

Town Charter Update-

BTH Repairs-

Town-owned Property Letters-

Vault Concerns/permanent water line-

New Business Park Sign-

Shelter Survey-

Town Sign Update-

Re-purposing of the Boat Launch in Lake Arrowhead for the public to access- kayaks, canoes, and fishing only, no boats-

MMA inspections report follow-up-

Allaire Drive-

Auction of Lake Arrowhead lots-

Proposal from Energy Professionals-

Minuteman Proposal for Overlook-

Dedication for Town report and picture for front cover-

Budget Stuff to Discuss-

 Sprinkler replacement at Municipal Building

 Dog Road need to be added for winter maintenance

 Minuteman quote for Municipal Building

New Business:

BOARD OF SELECTPERSON

Meeting Minutes

December 26, 2023

Warrants for March- We will be waiting for Stan's articles that he proposed to the Board tonight.

Add Change in Zoning Board of Appeals Ordinance- Dave Coleman questioned the Board about wanting to change the article. He does believe that people should be able to go directly to the Appeals Board. The Appeals Board does have the option of extending the 30-day notice for extenuating circumstances. The form will go online with the Appeals Board Ordinance. For now, it will stay the same. The information submitted should be in a sealed envelope. This will not go on as an article on the warrant.

Mellens Contract- hold off until June if an article is needed.

Gail's Housekeeping Article Suggestion- Katie said that the Board will discuss this article more on Thursday.

Electrical Supply- this can come off, John **motioned** that we stay with Standard rate and do not enter into a contract and look into a new contract in one year, Gil **seconded, all** in favor.

Allaire Drive- this will come off as well.

Change commitment date on taxes- it should not say commitment but mailing date instead, this will just stay on the agenda but not on the March ballot.

Fire Chief- this was handled during Vinnie's department report which is only one.

Deepvale Article- this will also go on the March ballot with the changes Neal talked about during Department reports.

Alesha asked about adding Dog Road for winter maintenance, it is a Town road but just got voted on for winter maintenance. The road needs to be measured and added into the budget for now and next year. The cost for Terri Drive on the snowplow contract as a separate line item can now be changed to Dog Road.

- Sign CMP Agreement for pole location- The Board would like Scott the Road Commissioner to take a look at this before the Board signs. Alesha will follow up with Scott.
- BTH Application- **John motioned** to approve the BTH for David Wacker for January 12 and March 13 for training for Carroll Materials, Gil **seconded, all** in favor.
- BTH Application- Wade **motioned** for approval for Cassandra Paris for January 27th for the BTH, Brady **seconded, all** in favor.
- Proposal for JP Carroll- We will figure out on Thursday if this is capital or maintenance expense. Alesha will call a couple plumbing/heating companies to get a couple quotes.
- Katie looking for a motion to enter into a contract with the Fire Chief for a one additional year, John **motioned**, Brady **seconded, all** in favor.
- Wade brought up that the Municipal building had a tile in the ceiling fall down in the Community Room earlier that day, Wade looked at and there is a wire that should be looked at, Alesha will contact our electrician to come look at it.

HEARING OF CITIZENS:

Gail Libby- Question if the Board is looking to propose taking out competitive bidding on major contracts and eliminating cost reductions and stopping new businesses from starting up without an opportunity to bid. John did agree that the Board should review the Bid Policy and make sure they are not violating it. She also mentioned there are wires on the ground, which look like cable on Lombard Hill Road, they go across the road.

BOARD OF SELECTPERSON

Meeting Minutes

December 26. 2023

Steve McLean- He would like clarification on the contracts, he said that you do see a lot of Towns add another year, you see this in the plowing industry. You could potentially put out for a one-year bid with an optional second year. John said the Town should have the ability to extend with a good contractor at a price that works.

ADJOURN MEETING: Brady **motioned** to adjourn; Gil **seconded**; **all** were in favor at 9:38PM

These minutes were approved by the Limerick Board of Select Board on:
End of Broadcast

Respectfully submitted,

FOR DETAILS OF MEETING SEE RECORDING AT:

SRC-TV.ORG

“Limerick Selectmen’s Meeting”
Under Limerick Municipal Bldg.