

TOWN OF MADISON - PUBLIC NOTICE

The Inhabitants of the Town of Madison are hereby notified of a public meeting. The time, place and purpose of which are as follows:

**MINUTES
BOARD OF SELECTMEN
OLD POINT SCHOOL MEETING ROOM 104
108 OLD POINT AVENUE
SEPTEMBER 24, 2018
6:30 p.m.**

- A. **Salute to the flag:** Meeting was called to order at 6:30pm
- B. **Roll Call:** Selectmen Al Veneziano, Jack Ducharme, George Elias, Ronald Moody and David Savage were present. Town Manager Tim Curtis, Finance Director Tammy Carriers, Road Commissioner Jeff Wright and Code Enforcement Officer Susan Hathaway were also in attendance.
- C. **Consent Agenda:** Warrants Dated: #7 (\$230,108.02 – 9/10/18); Payroll Reg. #36 (\$10,271.86 – 9/6/18), #37 (\$19,282.42 – 9/13/18), #38 (\$10,448.63 – 9/20/18): Motion to approve by Mr. Elias, seconded by Mr. Moody. Motion carries 5-0.
- D. **Discuss acceptance of meeting minutes of September 10, 2018.** Motion to accept by Mr. Elias, seconded by Mr. Moody. Motion carries 5-0.
- E. **Old Business** (Selectmen's Concerns from immediately preceding meeting): None
- F. **Items of Communication:** Town Manager Curtis noted that the Road Commissioner had used some of the remaining money raised for equipment to have the main roads in town striped with a double yellow line. The cost was approximately \$9,000. Going forward these costs will be factored in to recommended capital budget projects.

The Town Manager reminded the Board that the Maine Municipal Convention will be held next week (October 3 & 4) in Augusta. He and other staff members plan to attend but the Town Office will remain open for business.

Household Hazardous Waste Takeback Day is Saturday October 6 at the Skowhegan Transfer Station. People are signing up at the Town Office now and can continue to through Friday the 5th.

The Dedication of the bridge in Norridgewock as the Eugene Cole Memorial Bridge is slated for Sunday, Oct 7 at 2pm at the bridge.

The Town Office will be closed on Monday Oct 8 for Columbus Day. There will be a Select Board meeting that night.

At the request of a couple board members, the Town Manager researched the property line at 5 Thomas Street. This property was sold by the Town several years ago and a second deed was recorded to correct mistakes on the first deed. The property tenant had been using a pin that he thought marked the back of the property but actually that pin marks the line for the two properties in the rear. The Town Manager measured out and marked a line 118 feet from Thomas Street. The tenant said he would move his property away from the line and off town property.

Mr. Ducharme said there should be a pin at the 118-foot mark. Mr. Veneziano asked if a marker like a fence or trees should be placed there. The Town Manager said that there are already a few trees planted near the property line.

Mr. Ducharme said that since the driveway location is noted in the deed, use of that driveway rather than the former school building driveway that is currently being used.

Town Manager Curtis reported that he heard from the owner of Perry-Videx who is part of Somerset Acquisitions confirming that the paper machine has been sold and is being removed from the former Madison Paper site. A company from China will be relocating the machine to a mill in China. The process is expected to take about 6 months.

G. New Business

1. **Discuss After the Fact Permitting:** At Town Meeting 2017 voters approved a change to Chapter 165 of the Town Code of Ordinances that changed the fee for 'After the Fact' building permits from double the fee to a flat fee of \$500. Town Manager Curtis noted that the year prior voters at Town Meeting 2016 rejected a proposal to change the fee to 10% of project costs.

Code Enforcement Officer Susan Hathaway asked the Board for direction, noting that the ordinance is fairly clear that this fee applies when any person is found to have begun work prior to obtaining a permit. Ms. Hathaway noted that a person who starts a project without a permit out of ignorance of the ordinance faces a huge jump from \$20 to \$500. She also noted that in her experience the \$20 building permit fee is too low based on the amount of work required on behalf of the Town to comply with the State MUBEC requirements.

Ms. Hathaway, who is also Code Enforcement for Embden mentioned that the fees in Embden are \$200 for an after the fact outside of Shoreland Zoning areas and \$400 in the Shoreland Zone.

Mr. Veneziano said that he recalls the concern of the Board at the time was contractors who were intentionally building without a permit, not individual home owners who were acting in ignorance of the ordinance. Mr. Moody said

The consensus of the Board was work toward making changes to the fee schedule and the language of the ordinance to take to Town Meeting. In the meantime, the Code Enforcement Officer will take after the fact permit situations on a case by case basis and any violations can be taken to the Board of Selectmen for a decision.

2. **Ordinance Review** (Chapter 738 Use of Town Property, Chapter 142 Special Amusement): Town Manager Curtis brought two ordinances before the Board to review for recommended changes. Chapter 728 covers use of Town Property. The Town Manager recommends adding language to include the Old Point facility since it is used quite frequently. There was no objection to these changes.

Mr. Veneziano asked about policies for use of the public spaces such as the playground and open space near the Junior High. It was the consensus of the board that these areas should be governed by rules that the Selectmen can approve rather than to be written into ordinance.

Chapter 142 is a Special Amusement Permit requirement for establishments that hold liquor licenses. According to the Town Clerk, the Town used to issue these permits when establishments applied for their liquor license and posted the public hearing as part of a regularly scheduled Select Board Meeting. Town Manager Curtis said he reached out to a few neighboring municipalities. Fairfield continues the practice and charges establishments for the cost of advertising a public hearing. Skowhegan voters removed the permitting requirement from the ordinance at their most recent Town Meeting and are incorporating the rest of the requirements into other like ordinances.

It was the consensus of the Board to resume the Town practice of including Special Amusement Permits with Liquor License Permits. The Town Manager added that the fee of \$20 that is in the

ordinance should be removed and authorize the Selectmen to set the fees. This would be consistent with other recent ordinance updates.

3. **Discuss Passage of LD1629** (An Act to Protect the Elderly from Tax Lien Foreclosures): The Town Manager shared an email from The Maine Municipal Town and City Managers Association summarizing the details of LD1629 which will go into law in December. This places restrictions on towns selling foreclosed property for low income residents over 65. While this will impact future board decisions Town Manager Curtis wanted to bring to the Board's attention that the remaining property in foreclosure at 19 Middle Street is owned by a senior citizen who probably qualifies. The Town has been working to take payments and the owner is close to having his 2015 taxes paid off.

If the Town chooses to sell the property, the new law requires that the Town make three attempts with licensed realtors to sell for market value, and list for at least 6 months before taking the property to public auction or closed bid. All proceeds after taxes and other fees are paid must be returned to the prior home owner.

4. **Abandoned/Dangerous Properties:** The Town Manager brought photos of two properties that appear to have been abandoned. One at 33 Naomi Ave and the other at 29 South Solon Road. It was the consensus of the Board to have the Town Manager move forward with the process of notifying property owners and hold a public hearing regarding sending a Notice to Correct by having the building removed.

The Town Manager clarified that these properties were brought to his attention by residents who expressed concerns about them. Selectman Ducharme said that should be the process to respond to concerns from residents. Mr. Moody said the process should be consistent with past practice.

H. **Selectman Concerns:** None

I. **Citizen Concerns:** Resident Nancy Drew thanked the Town and the Highway Department for resurfacing the portion of Weston Avenue near here home since it will provide for safer driving this winter.

J. **Adjournment:** Meeting adjourned at 7:15pm