

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
April 9, 2018
6:30 p.m.**

- A. Salute to the flag: Meeting was called to order at 630pm
- B. Roll Call: Selectmen Al Veneziano, Jack Ducharme, Paul Fortin and Ron Moody were in attendance. Town Manager Tim Curtis, Road Commissioner Glen Mantor, Town Clerk Kathy Estes, Code Enforcement Officer Susan Hathaway and Finance Director Tammy Carrier were also present.
- C. Consent Agenda: Warrants Dated: # 27 (3/26/2018 - \$486,580.61), # 28 (3/26/2018 - \$1,604.66): Payroll Register: #13 (3/29/2018 - \$11,595.30), # 14 (4/5/2018 - \$13,361.55): Motion to approve by Selectmen Fortin, seconded by Selectman Moody. Motion carries 4-0.
- Game of Chance VFW: Motion to approve Cribbage play for VFW Post 7865 through March 2019 by Mr. Ducharme, seconded by Mr. Fortin. Motion carries 4-0.
- D. Discuss acceptance of meeting minutes (Assessors & Selectmen) of March 26, 2018: At the request of the Town Clerk to expedite valuation updates the Selectmen reviewed minutes from both the Assessors and Selectmen's meeting on March 26, in addition to minutes from the Budget Advisory Meeting on April 4, 2018. Motion to approve all minutes as presented by Mr. Fortin, seconded by Mr. Ducharme. Motion carries 4-0.
- E. Old Business (Selectmen's Concerns from immediately preceding meeting): None
- F. Items of Communication: The Town Manager shared information provided by the Lake Wesserunset Association on their activities this year. Their annual meeting is scheduled for July 7th.

Chris Huck with Kennebec Valley Council of Governments has completed a draft of the updated Town Subdivision Ordinance with the Planning Board. Copies are available for review and a public hearing will be held on April 23, and voters will have opportunity to approve the changes at Town Meeting on June 11.

The Town Manager updated the board on joint efforts with Dale Clark to submit a grant to the Northern Borders Commission for \$500,000 for plans to create a waste to energy facility at the former paper mill site. The Anson/Madison Sanitary District has already received \$60,000 for a feasibility study.

Chairman Veneziano asked to discuss the next scheduled meeting on April 23rd. The School Board is meeting that night to finalize the budget. The Town Manager suggested the selectmen meet earlier to allow business to be completed by 7 and those who wanted to attend the school board meeting could do so. The consensus of the Board was to meet at 5:30pm on the 23rd.

Looking ahead to May the Town Manager suggested that the Board convene on May 7 at 730pm following the school budget validation meeting to countersign the school budget warrant and notice of election. Town Manager Curtis will be traveling back from vacation that day but the agenda could be prepared ahead a week ahead of time. The consensus of the Board was to meet at 730 on May 7th at the Junior High.

G. New Business

1. Department Head Reports (Highway, Code Enforcement, Sheriff, Fire): Road Commissioner Mantor informed the board that Spring Cleanup would begin April 30th weather permitting. There had also been some significant progress on the work to move the road over on River Road. The Road Commissioner reported that approximately \$50,000 worth of man hours and equipment hours have been contributed by the Highway Department to this project, a savings to the taxpayer over hiring contractors. The Highway crew is also working to upgrade equipment at the playground and to provide some maintenance at the Old Point School. Mr. Moody asked about the out of order bathrooms. Town Manager Curtis said many of the old, leaking toilets are being removed.

Written reports from the Sheriff's Office and the Fire Department were accepted as information.

Code Enforcement Officer Susan Hathaway provided a report to the Board of the ongoing property maintenance projects that she is following up on. She and the Town Manager provided a brief update. Many of these properties were issued violation notices by the previous CEO Bob Dunphy but follow up has been idle over the winter.

2. Public Hearing for Proposed Changes to Madison Electric Works Charter: Chairman Veneziano opened a public hearing at 6:57pm. The Town Manager reviewed the handout that will be provided to voters at Town Meeting. Mr. Curtis also drafted a Memorandum of Understanding for the Select Board and the MEW Board of Directors to help guide future boards. MEW Superintendent Calvin Ames and Board member Richard Bartlett were in attendance and agreed that a MOU would be helpful. Mr. Ames noted that MEW is one of only two independent electricity entities in the state that do not have authority to borrow through revenue bonds, he also mentioned that the Select Board from the Town of Anson have sent a letter approving of the change.

The Town Manager asked if MEW would hold public hearings for rate payers like Water and Sanitary Districts when the topic of borrowing came up. Mr. Ames said it was there intention, and Mr. Bartlett said many lenders require public hearings as well.

Seeing no other comments, the public hearing was closed at 7:03pm.

3. Public Hearing for Proposed Changes to Chapter 702 (Smoking Ordinance): Chairman Veneziano opened a public hearing at 7:03pm. The Town Manager outlined the proposed changes that will create a more comprehensive approach to prohibit smoking on town owned property. Selectman Ducharme raised a concern about the language of town owned property to include town roads and sidewalks without creating situational enforcement. Mr. Moody asked how enforcement would be handled on streets and sidewalks during events like Madison Anson Days.

It was recommended that language be changed so that town owned property is not to include Town Roads/Sidewalks. Code Enforcement Officer Hathaway said that language could be added to say that areas could be otherwise designated which allows for some flexibility in enforcement.

Town Manager Curtis said he would make alterations to the language and have the edits ready for the board to review at the next meeting.

Seeing no other comments, the public hearing was closed at 7:15pm.

4. Discuss Ballot Language for Proposed Change of Elected Positions to Appointed: The Selectmen had asked to have an item on the agenda to discuss the idea of changing the positions of Road Commissioner and Town Clerk/Treasurer from elected to appointed. The Town Manager asked for direction as to whether the question should appear on the ballot as one question or two. It was the consensus of the board to separate the questions by position. The Town Manager also shared recommended ballot language from Maine Municipal Legal Services.

Mr. Moody questioned whether this was the right year to recommend such a change. The Town Manager said the discussion would need to take place now to provide time to put a question on the ballot for June 12. Mr. Moody said he didn't think it was the right time to fix something that wasn't broken. Chairman Veneziano said this discussion wasn't a reflection on the current elected officials but it was prudent to think about how transitions would take place in the future.

The question was raised as to whether a Town could put conditions or qualifications on people who choose to run for office. The Town Manager and the Town Clerk did not believe that the state would allow for additional criteria other than being 18 or older and a resident of the State of Maine. Further discussion included potential scenarios such as elected a road commissioner who did not have a driver's license or a treasurer who could not be bondable.

Mr. Fortin said whether the town's people supported the idea or not, if the Selectmen felt it was something to be considered in the best interest of the Town then it is the right thing to do to bring it to the voters.

Motion by Mr. Ducharme to place the following questions on the ballot for June 12, 2018:

Shall the Town of Madison change the position of "**Road Commissioner**" from an **elected to an appointed** position, appointed by the town manager with the approval of the Select Board, said change to be effective at the 2019 annual Town Meeting?

And, Shall the Town of Madison change the position of "**Town Clerk/Treasurer**" from an **elected to an appointed** position, appointed by the town manager with the approval of the Select Board, said change to be effective at the 2019 annual Town Meeting?

Motion seconded by Mr. Fortin. Motion carries 3-0-1 (Mr. Moody abstained).

5. Discuss Tax Acquired Properties: The Town Manager presented a list of properties acquired by the Town through foreclosure to include: 51 John Street, 5 Locust Street, 12 Garden Street, 122 Old Point Avenue, 37 Brick Road, 20 Young Street, 32 Naomi Avenue and land only properties on Mallard Road and Business Park Drive. Some of the properties such as John Street and Locust Street include costs associated with demolition of buildings. 20 Young Street is occupied and the Town Manager recommends selling without eviction to provide funds to pay back taxes and a significant sanitary district bill.

32 Naomi Avenue is a large abandoned structure very close to the road. It was the consensus of the board that the Town Manager and Road Commissioner inspect the building and bring a recommendation whether to demolish or not to the board.

Motion by Mr. Fortin to move forward with the sale of the following properties at public auction: 51 John Street, 5 Locust Street, 12 Garden Street, 122 Old Point Avenue, 37 Brick Road, 20 Young Street, 32 Naomi Avenue, Mallard Road and Business Park Drive, seconded by Mr. Ducharme. Motion carried 4-0.

- H. Selectman Concerns: Mr. Fortin wanted to know if the Town Manager was working with the Anson Madison Sanitary District to determine a way to pay for work in a timely manner. Mr. Curtis said he is continuing to meet with the District about projects and ways to have the town pay directly for storm drain clean up rather than the District pay a contractor and then turn around and bill the Town.
- I. Citizen Concerns: A resident from Naomi Avenue asked about the process to clean up properties at 21, 25 and 29 Naomi. The Town Manager and the Code Enforcement Officer updated the Board on the citations that have been issued and a state plumbing inspector will be brought in to review the septic

system on 21 Naomi. The property owner has been notified that there is an unpermitted camper and an unpermitted septic field on 21 Naomi.

The question was also raised as to what the right of way was on Naomi Avenue and where the town portion of the road ends and where a private road begins.

- J. Executive Session to consult with legal counsel pursuant to 1MRSA 405 (6) (E): Motion to enter executive session by Mr. Moody, seconded by Mr. Ducharme. Motion carried 4-0. The board entered executive session at 8:04pm.

The board exited executive session at 8:47 with no action taken.

- K. Adjournment: Meeting adjourned at 8:48pm