

## 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 AVE SCHOOL MEETING ROOM  
October 9, 2017  
6:30 p.m.**

- A. **Salute to the flag:** Meeting was called to order at 6:30pm
- B. **Roll Call:** Selectman Al Veneziano, Jack Ducharme, Paul Fortin, Ronald Moody and George Elias were present. Town Manager Tim Curtis, Road Commissioner Glen Mantor, Finance Director Tammy Carrier and Code Enforcement Officer Bob Dunphy were also in attendance.
- C. **Consent Agenda:** Warrants Dated: # 10 (9/25/2017 - \$541,808.81); # 11 ( 9/25/2017 - \$ 1,828.77); Payroll Registers: # 39 (9/28/2017 - \$10,564.14); # 40 (10/5/2017 - \$ 11,177.18). Motion by Selectman Fortin to approve, seconded by Selectman Moody. Motion carries 5-0.
- D. **Discuss acceptance of meeting minutes of September 25, 2017:** Motion by Mr. Ducharme to accept, seconded by Mr. Fortin. Motion carries 4-0 (Mr. Elias abstained because he was not present at the last meeting).
- E. **Old Business** (Selectmen's Concerns from immediately preceding meeting): None
- F. **Items of Communication:** Town Manager Curtis reminded the Board that there will be a Solar Array Ribbon Cutting ceremony at MEW 10/11 10am all are welcome.

The former residents of 5 Locust Street have moved out and the Town Manager has contacted crews to begin cleaning up this week. After clean up the Code Enforcement Officer will tour the building to determine whether it is suitable to sell as is or to tear down.

The Board received an update on the business venture at the business park. The project has received significant funding from Efficiency Maine and there is a joint press release expected for later this month.

The water heater for the Old Point School Building needs to be replaced. The Town Manager will have a plumber look at it this week. He asked tenants if they needed hot water and the Food Cupboard does for cleaning dishes and washing after handling meat and produce.

### G. **New Business**

- 1. **Public Hearing on Local Referendum on Retail Marijuana:** Chairman Veneziano opened the public hearing at 6:35pm. Town Manager Curtis referred to the question as approved by the Board of Selectmen on August 28, 2017. This question will be on the November 7 ballot as a local referendum and the Selectmen will be bound by the results. He also referred to several definitions that are provided by the state from Title 7 MRSA 2442. Several residents participated in the public hearing, a sign-up sheet was distributed.

Mr. Elias clarified that a no vote does not mean that retail businesses are automatically accepted.

A resident asked if the town issued licenses or the state. Currently the law says the state will license retail marijuana.

A resident asked about the two businesses on Main Street. The Town Manager clarified that as long as businesses are not selling retail marijuana products and just related legal products they are not violating the law and the results of the vote would not change that.

One of those business owners asked about CBD products. The Town Manager said if those products are not marijuana products then they should be legal, but he would seek out more information.

Mr. Moody commented that medical marijuana would not be affected, and the law allows everyone who wants to grow and use their own can do so. The fact that it is still against federal law further confuses the issue.

One resident stated that he felt that the Town and State would be leaving money on the table if they don't allow for the businesses and tax the personal and real estate property. Another resident was concerned that the black market will grow if more towns prohibit.

Chairman Veneziano thanked the residents for attending and giving input and reminded them that the vote on November 7, 2017 will be their opportunity to give the Town guidance. He closed the public hearing at 6:55pm.

2. **Department Head Reports (Highway/Fire/Police/Code Enforcement):** Road Commissioner Glen Mantor updated the Board on paving projects. Bard paving is expected to finish in Skowhegan and begin in Madison this week.

Mr. Veneziano said that he thought the removal of the old sidewalk on Madison Avenue looked good.

Reports from the Fire and Sheriff's Department were accepted as information. Code Enforcement Officer Bob Dunphy's report outlined the number of building permits year to date.

3. **Discuss potential Health/Safety conditions (Naomi Avenue):** Mr. Dunphy has been to inspect three properties (21, 25 and 29 Naomi Avenue) and found each of them to be uninhabitable. Naomi Avenue resident Randy Woodworth was in attendance and was concerned that someone is living in a trailer on 25 Naomi with no wastewater and using an extension cord from across the street for power.

Mr. Dunphy will check on that property again Thursday. Town Manager Curtis said the next step would be a public hearing scheduled for October 23, 2017 at the East Madison Fire Station to determine whether these buildings are dangerous and/or abandoned. The property owners have been notified by certified mail.

4. **Discuss modifications to Chapter 148 of the Madison Code of Ordinances (Animals):** At a previous meeting the consensus of the Board was to consider altering Chapter 148 to include language prohibiting a nuisance caused by farm animals within certain built up areas of Town. Town Manager Curtis showed the Board language from Skowhegan that refers to the compact zone said Madison could do the same within their boundaries as determined by the State in the Anson/Madison compact zone.

Mr. Elias asked what the zone was. Mr. Curtis referred to a map from DOT. Mr. Ducharme asked what the definition of nuisance was. The Town Manager said the state has a definition that can be used for enforcement. This language would not ban animals but would allow for some enforcement if the keeping of animals creates a nuisance.

Mr. Fortin was concerned that this language would not be strong enough. Mr. Moody said it may be a good place to start. The consensus of the Board was to have the Town Manager continue to pursue this ordinance change and report back.

5. **1<sup>st</sup> Quarter Financial Review:** The board reviewed the spending categories through the first quarter. Overall spending is on track at 25%. The Town Manager noted that he has spoken with Animal Control Officer Robert Crosby about making adjustments in his hours and going forward the Town Manager will recommend increasing the ACO line.

Revenues were also on target through the first quarter. The final draft of the audit is ready and representatives from RHR Smith will be at the October 23 meeting to review the audit. Town Manager Curtis said that his review of the audit confirms that the Town has gained approximately \$350,000 in its net position due to increased overlay and revenues from the last fiscal year.

- H. **Selectman Concerns:** Mr. Moody thanked the Highway Department for bush-hogging the land next to the Forest Hills Cemetery, and mentioned that there are some stones that have come off their base. Tammy Carrier mentioned that the sexton is aware.

Mr. Fortin asked when absentee ballots would be available. The Town Manager assumed this week, but he will check with the Town Clerk for sure.

- I. **Citizen Concerns:** Paul Turek asked about how to find a family plot in the cemetery. The information is at the Town Office. A local business owner on Main Street asked about the crosswalk in front of his business and how to enforce traffic laws to yield to pedestrians. The Town Manager said he could ask the Sheriff to be more aware, but that is a state road and state crosswalks. Chairman Veneziano asked the Town Manager to ask DOT if there are any signs or lights available.

A resident on Old Point asked when fall leaf clean up would start. Road Commissioner Mantor said they will watch as residents rake their leaves to the curb in town and pick up until the snow starts falling.

- J. **Executive Session to consult with legal counsel pursuant to 1 MRSA 405 (6) (e):** No action taken

- K. **Adjournment:** Meeting adjourned at 7:30pm