



APPROVED
11/20/2019

**BOARD OF SELECTMEN
MEETING MINUTES
NOVEMBER 6, 2019
6:00 PM**

Attendance: Chairman Ronald Frederick, Vice Chairman James Lyman, Selectmen Matthew Everett, Sallie Wilder and Joshua Chartrand, Town Manager Richard LaBelle, Office Clerk Sharon Dodge, Bookkeeper Peter Lyman, and Code Enforcement Officer David Savage. Also present for all or parts of the meeting were Kim Audet, Zach Audet, Lana Caswell, Ron Caswell, Alphonso Dixon, Jr., Beverly J. Dixon, Leslie Forrester, Power Hefferton, Barbara Keith, Donna Kline, Sophie Landry, Steve Scalese, Joseph "Skip" Viles, and Kyle Willette.

1. Call to Order

The meeting was called to order at 6:00 PM by Chairman Ronald Frederick.

2. Pledge to the Flag

3. Public Hearing regarding application for a proposed junkyard filed by Zachery and Kimberly Audet to be located at 74 Smithfield Road, Norridgewock (Map 19, Lot 38)

Chairman Frederick opened the public hearing regarding the application for a proposed junkyard filed by Zachery and Kimberly Audet to be located at 74 Smithfield Road, Norridgewock (Map 19, Lot 38) at 6:01 PM.

The Chairman presented the ground rules and expectations for the hearing.

The applicant presented the application and facts in connection with it. Kim Audet stated that the Applicants have no intention of having a junkyard, but that the junkyard permit is required as a part of the process in being properly permitted as an automobile recycler through Maine Bureau of Motor Vehicles. As a pre-requisite for the local permitting of an automobile recycler's license, one must apply for a junkyard license. K. Audet states that the Applicant picks up cars and bring them to the scrap yard on the next business day. The Applicant does not dismantle the vehicles or drain any fluids. The Applicant stated that they do not have any more than three unregistered vehicles on the property at one time. K. Audet states that the applicant has been conducting this business on the identified property for approximately four years, but Maine Bureau of Motor Vehicles is now requiring expanded licensing in order to track vehicle titles.

Code Enforcement Officer David Savage provided background on the application and stated his reasons for submitting a letter recommending against the approval of the license. In

addition to insufficient screening, which could be remedied, the proposed site is situated directly on a sand/gravel aquifer. State Statute and Local Ordinance strictly prohibit such establishments from being

located on top of a sand/gravel aquifer where vehicles are stored with fluids or fluids are drained. The Town Manager echoed the concerns expressed by the Code Enforcement Officer.

There were no members of the public to speak in support of the application.

Alphonso Dixon, Jr. of Smithfield Road inquired as to if the permit was granted with conditions, which entity would be responsible for enforcement. Mr. Dixon also stated that he has seen numerous junk cars on the property in the past and does not believe that the applicant will comply with any conditions set forth.

Donna Kline of Smithfield Road inquired as to whether or not the applicant's hobby cars would be differentiated from the junkyard. The Applicant stated that Maine State Police has told the Applicant that there are exceptions for hobby cars.

Beverly Dixon of Smithfield Road stated that the Applicants race on the track at the rear of the property and that they can't race cars without fluids in them; she also spoke about the noise from racing activities. B. Dixon inquired about the enforcement and compliance monitoring.

Donna Kline reiterated the concern for noise complaints and states that the Sheriff's call logs would reflect such complaints filed by neighbors. Kline also expressed concerns for medical issues of those in the nearby residences.

Beverly Dixon inquired about the impact of assessed and real estate values in the neighborhood should the proposed application be approved. B. Dixon also inquired about the necessity of the Applicant to have insurance; the Town Manager stated that the need for insurance was irrelevant to the proceedings surrounding the application.

Chairman Frederick presented two letters that had been submitted regarding the application for a proposed junkyard. The Town Manager read the letters into the record, without objection.

Chairman Frederick closed the public hearing regarding application for a proposed junkyard filed by Zachery and Kimberly Audet to be located at 74 Smithfield Road, Norridgewock (Map 19, Lot 38) at 6:23 PM.

4. Discussion/Action on Junkyard Application for Zachery and Kimberly Audet (74 Smithfield Rd., Map 19 Lot 38)

The Board of Selectmen discussed the application and its compliance with local and State regulations. A Findings of Fact (attached) was reviewed and completed in reaching a decision.

Selectman Everett made a MOTION to table the Junkyard Application for Zachery and Kimberly Audet (74 Smithfield Rd., Map 19 Lot 38) MOTION FAILED for lack of a second.

Selectman Everett made a MOTION to deny the Junkyard Application for Zachery and Kimberly Audet (74 Smithfield Rd., Map 19 Lot 38) Seconded by Selectman Chartrand. MOTION PASSED.

5. Review/Approve Minutes of October 16, 2019

Vice Chairman Lyman made a MOTION to approve the minutes of October 16, 2019. Seconded by Selectman Wilder. MOTION PASSED.

6. Selectmen's Reports

Vice Chairman Lyman stated that the recent grading on Red Barn Road looked good and is appreciated.

Chairman Frederick stated that he has received calls concerning dumping on Main Street, which he has already relayed to the Town Manager, which has been referred to Code Enforcement and MaineDEP.

7. Town Manager's Report

See Attached

8. Discussion/Action on November 6, 2019 General Warrant #21

Selectman Everett made a MOTION to approve and sign General Warrant #21 in the amount of \$647,466.14. Seconded by Selectman Chartrand. MOTION PASSED.

9. Public Comment (Limited to 2 minutes)

Resident Skip Viles spoke with the Board last spring about having a financial advisor come in and provide a presentation about better ways for the Town to invest its money. It was recommended that Mr. Viles make arrangements with the Town Manager for a future presentation to the Board.

10. Discussion/Action on TIF Committee Façade Improvement Program Recommendation

Vice Chairman Lyman made a MOTION to approve the TIF Committee Façade Improvement Program's recommendation for D.W. & Sons Garage, and authorize a grant of \$7,150.70. Seconded by Selectman Chartrand. MOTION PASSED (4-1, Frederick Lyman, Chartrand, Wilder in favor; Everett opposed).

11. Discussion/Action on Proposed 2020 Road Construction Projects, Engineering Costs

Vice Chairman Lyman made a MOTION to authorize the Town Manager to accept the engineering proposal from CES Engineers for Betterment Road. Seconded by Selectman Everett. MOTION PASSED (4-1, Frederick, Lyman, Chartrand, Everett in favor; Wilder opposed).

12. Discussion/Action on Disposal of Old Wastewater Equipment

Selectman Everett made a MOTION to dispose of the disabled generator by releasing it to Anson-Madison Sanitary District for \$2,000.00 Seconded by Selectman Chartrand. MOTION PASSED (4-1, Frederick, Chartrand, Everett, Wilder in favor; Lyman opposed).

13. Discussion/Action on Signing of Sewer Upgrade Loan Documents

BE IT RESOLVED that the Board of Selectmen of the Town of Norridgewock approves and accepts in all respects, a proposed loan of \$240,000 at an interest rate not to exceed 2.5% for a period of 40 years, from USDA Rural Development, for the purpose of FY19 Cost Overrun (WWTF) in accordance with Loan Resolution (Public Bodies) RUS Bulletin 1780-27, and a proposed grant in the amount of \$85,000 in accordance with Grant Agreement RUS Bulletin 1780-12 and the Resolution of the Board of Selectmen to authorize the Chairman and the Town Clerk to execute and deliver all documents, and to take any and all actions necessary to carry into effect such financing, including, but not limited to, Form RD 400-1, Equal Opportunity Agreement, and Form RD 400-4, Assurance Agreement.

Selectman Chartrand made a motion to adopt the Resolution and Agreement, and to sign the necessary paperwork in order to complete USDA grant/loan processing. Seconded by Selectman Everett. MOTION PASSED (Frederick, Lyman, Chartrand, Everett, Wilder in favor; none opposed).

RUS Bulletin 1780-27 was presented and voted upon as follows:

Yeas: 5 Nays: 0 Absent: 0

The "Resolution of the Board of the Town of Norridgewock" pertaining to the Rural Development Grant was presented and voted upon as follows:

Yeas: 5 Nays: 0 Absent: 0

14. Other Business

Selectman Chartrand made a MOTION to add Donations to the agenda. Seconded by Selectman Lyman. MOTION PASSED

Selectman Wilder made a MOTION to accept a donation from New Balance Foundation in the amount of \$5,000 to be designated for future food pantry-related expenses. Seconded by Selectman Chartrand. MOTION PASSED.

Vice Chairman Lyman made a MOTION to add Contingency Expense to the agenda. Seconded by Selectman Chartrand. MOTION PASSED.

Selectman Chartrand made a MOTION to authorize the contingency expense of \$8.00 to cover an overage in Maine Municipal Association dues (Unclassified) Seconded by Selectman Everett. MOTION PASSED

15. Executive Session pursuant to 1 M.R.S.A. §405(6)(A) to Discuss Town Manager Performance, Annual Review

Vice Chairman Lyman made a motion to go into Executive Session pursuant to 1 M.R.S.A. §405(6)(A) to Discuss Town Manager Performance, Annual Review at 7:46 PM. Seconded by Selectman Everett. MOTION PASSED.

Vice Chairman Lyman made a motion to come out of Executive Session pursuant to 1 M.R.S.A. §405(6)(A) to Discuss Town Manager Performance, Annual Review at 8:25 PM. Seconded by Selectman Chartrand. MOTION PASSED.

16. Discussion/Action on Town Manager Performance Review

Selectman Everett made a motion to approve the 2% performance-based increase for the Town Manager. Seconded by Selectman Chartrand. MOTION PASSED

17. Adjournment

Selectman Chartrand made a motion to adjourn at 8:26 PM. Seconded by Selectman Everett. MOTION PASSED.