



TOWN OF ORRINGTON
Selectmen's Meeting Minutes
February 11, 2013

Call Selectmen's Meeting to Order: Call Selectmen's Meeting to Order: The regular meeting of the Board of Selectmen was called to order at 7:00 PM. Those present were; Chairman, Kevin Allcroft, Christine Lavoie, Howard Grover (arrived late), James Goody, Terrence Bladen; Town Manager, Paul White; Asst. Clerk, Julie Chaffee; Community Policing Supervisor, Jon Carson; Fire Fighter, Chris Luce; Asst. Fire Chief Scott Stewart; Planning Board Chair, Louis Morin, 3 Boy Scouts and approximately 25 citizens.

1. Adjustments to the Agenda: Added 1 item the receipt of hand held radios to Fire Department from Penobscot County to item 7C

2. Public Comments: none

3. Approve: Selectmen's Meeting Minutes for January 28, 2013: Lavoie motioned to approve the minutes. Goody seconded. **Vote:** Yes 4. (Grover absent)

4. Awards & Recognition: None.

5. Appointments & Resignations: Approve appointments of Brian Picard, John Athanasopoulos, Ronald Gray Jr., Arick Brown, and Adam Ayers to Fire/Rescue Dept.: Lavoie motioned to approve appointments. Goody seconded. **Vote:** Yes – 4 (Grover absent) Bladen asked if they were classified as firemen. White stated they are on call. Bladen asked if they need to be certified. White stated no, training is provided thru the Fire Department. Bladen asked how many on call Fire Fighters do we have. White stated we have 24. The maximum the selectmen agreed to is 30.

6. Old Business:

- A. **Swetts Pond Road Beaver Flowage update:** Allcroft informed the public the issues with the beaver dam and what the costs were. The town contacted FEMA, MEMA and Maine Municipal regarding the beaver dam and the town was denied any funds. Allcroft informed the citizens that the board was not allowed to discuss any details about the pending law suit as we are in the litigation process at this time. Public comments- Larry Pelletier thanked everyone for coming and supporting him. Sharon Caron understood the beaver were introduced to the water in the late 90s. How are the landowners responsible? Town Employees along with landowners and Wardens worked together to fix problem and now the town turns around and sues.

Kevin M. Allcroft, Chairman

Ryan Pelletier stated the image towards the town and his parents is embarrassing. The article in the Bangor Daily did not provide his father's prospective. There were 91 comments posted in the Bangor Daily online, and all were against what the town was doing. Marcia Lizotte was upset when she read the article. The Lizottes and several other towns' people use the Pelletier's land. The Pelletiers were the first ones to help when the pond washed out. Lizotte was upset the town could not come to an agreement and not sue the Pelletiers and Goldings. Mary Michael Billings lives across from the beaver bog. The Billings were there when the beaver were released in the bog in the 90's. Billings wrote a letter to the Bangor Daily expressing her thoughts. Billings asked what the procedure is to change this. Is this a done deal? What if the beavers come back? Is it the Pelletiers and Goldings life- long responsibility? Bill Richardson states he is appalled at what the town is doing. The Pelletiers and Goldings are not responsible. It is an act of nature. Fish and Game are responsible, they introduced the beaver. Is it the right thing to do to our citizens? Sharon O'Donnell stated the Town, Hodgins from Public Works, and the Dept. of Inland Fisheries were going to keep an eye on it. It was never said it was the landowner's responsibility. O'Donnell thinks the town should reconsider. Sharon Caron, Golding's sister, said that Golding in 2010 (after the dam broke) wanted the beaver dam on the agenda for every meeting. Golding shouldn't have to worry about losing her home if her insurance will not pay. Sharon Gray has a beaver issue on her property. Gray was told the beaver were her responsibility. Gray strongly recommends you reconsider. Bill Sturrock asked if there was a contract and if it was enforced to take care of the situation? We are degrading the landowner's rights. It is a natural occurrence. Allan Baker stated that his family has lived in Orrington for six generation. This is the first time the town has sued a citizen. Baker asked if the Pelletiers and Goldings got a chance to present their side. What is the history of this whole process? How diligently did the state and officials pursue the issue? The state and town did not address this issue. Baker asked what the budget is for the town's legal fees. If the town loses, the town has a moral obligation to pay the legal fees of our neighbors. Janice and Tom Beatham said they are also embarrassed. The Pelletiers have done so much for the town. We use their land, they give so much. Allcroft thanked everyone for coming. Allcroft stated that comments cannot be made by the board. White stated that is has been a very difficult situation, not only for landowners but also for the board. We will come to a resolve for all parties involved. White stated that this is all he can say. Grover stated we are thankful that no one got killed. We have to get control of this beaver dam. Caron stated that if the land owners are being sued now, why didn't they get sued in 2001? Grover stated that FEMA paid in 2001. Caron stated that you are spending our tax dollars for a lawyer. We are all being penalized for this.

- B. ***Disk Golf discussion/update:*** White stated that he and Grover followed up with a request to meet with Disc Golf regarding the parking lot being moved July 1st. A diagram of the parking lot area was handed to the board. Disc Golf can build a parking lot, club house and storage unit only in the approved area. Enman is not satisfied with area. White stated the rest of the area was designated to Public Safety. Modifications had to be made due to the wetlands. White stated that the meeting was not cordial. Allcroft asked about the buffer on Tupper Drive. White stated that Enman can build wherever he wants within the 300ft designated area. Grover stated this is not worth the hassle for \$2,400 a year.

Kevin M. Allcroft, Chairman

New Business:

7. Department and Committee Reports:

A. Fire/Rescue Monthly Report: Submitted in writing.

B. ACO Monthly Report: Submitted in writing.

C. Donation from Penobscot County Regional Management. A donation of 4 used handheld radios from police cruisers from the State Police. White said Chief Spencer would like the board to accept the donation. White also encouraged the board's approval. Lavoie moved to accept the donation of 4 used handheld radios. Bladen seconded. Vote- Yes 5. Allcroft asked if they need to be narrowband. White stated that they did need to be narrowband and that would be the only cost to the town.

8. Approve Motion of Order for Collections: White stated this is for unpaid sewer and personal property taxes. White asked the board for permission to collect the unpaid taxes. Lavoie motioned to approve the motion of order for collections. Goody seconded. **Vote:** Yes-5.

9. Update on Swetts Pond Dam Repair/Replacement: White stated that he and Allcroft met with HDR and Town engineer Bill Olver and had a long conversation to decipher the repair/replacement of the Swetts Pond Dam. White needed clarity and the time frame to get things done. This process had been 2 years now. The time frame for replacing the dam will not take place until August or September of 2014. White stated we need to get the permits, design and get it out to bid this year. White said the survey of the area and geotechnical probing to show the type of land underneath needs to be done. It is very important to determine the design. White received an email from HDR this evening with cost. The survey is \$15,000. The permitting and preliminary design need to be done so we can submit permits to the core of engineers and DEP. This will cost \$45,000. The \$75,000 did not include engineering onsite and inspections. The town is trying to get that cost pinned down. White asked the selectmen for \$55,000 from dam reserve to move this project forward. Allcroft stated that the geotechnical probing will be handled by S. W. Cole and the survey would be done by Olver. Allcroft said we need to move forward. White stated that there are not a lot of people who do engineering for these dams. Allcroft stated it would have been nice if they had told us 2 years ago to do the geotechnical probing and survey. We would have moved forward. Now it is going to be a 2 year cycle. At least we are moving in the right direction. The geotechnical probing and survey are definitely needed. Much Discussion. Richardson asked if a natural dam can be put there. White stated that we cannot. The town already checked into that. Mary Michael Billings asked what the dam reserve was. White stated it is a reserve that was set up several years ago. The Town sets aside money annually to fund all dams and the fish way. Bladen asked about the condition of the dam now. White stated right now it is stable. Behind the dam there is a lot of silt and cat tail, which have a very deep root system and that is helping hold the water there. Goody asked about the location for the test holes and will Olver drill? White stated that HDR will decide where to drill and S. W. Cole will do the probing. Much Discussion. Lavoie motioned to expend \$55,000 from the dam reserve. Grover seconded. Vote-yes 5

Kevin M. Allcroft, Chairman

Allcroft stated he is willing to go ahead. We will still be further ahead. The price will depend on if we find bedrock or not. We do need this all done to go ahead to get the permits. White asked the board for Allcroft, Olver and White to be the point persons. White stated they will keep the board updated. Lavoie motioned to have Allcroft, White and Olver to be the point persons. Grover seconded. Vote- 5 yes

10. *Selectmen's Budget Workshop: Selectmen's, Town Office, Policing, Assessing/Code Enforcement Budget Request:*

White stated it is very difficult to get numbers because of the state. The municipal budget right now, if we stay where we are, is approximately a \$30,000 increase over last year. The county tax has a \$12,000 increase. The School's preliminary budget has a reduction of \$84,000. The School's budget hearing is Wednesday night. The combined budget for the town and school at this stage will be reduced by \$41,000 from last years. Grover asked when the state will know as to revenues. White stated as of right now late March or April.

Discussed Policing Budget-

Discussed Selectmen's Budget-

Discussed Town Hall Budget-

Discussed Assessing & Code Budget

11. *Treasurer's Warrants and Budget Summary:* *Passed around and signed.*

12. *Report Folder:* *Passed around.*

13. *Town Manager' Report:* White informed the board that Dick Harriman has been in the hospital this past week. White will move ahead to replace Harriman soon. Birch and White will meet tomorrow. White will also meet with Harriman. White met with Peter Prada at PERC for update. White stated that there have been many rumors about PERC shutting down in 2018. This is not anticipated to be happening. White informed the board that Dick Campbell is stirring up things. White met with Campbell last Friday. Campbell is looking for support to approach Commissioner Aho of DEP to release Town owned property at the former Holtra-Chem property. The Town Office will be closed on Monday for Presidents Day. White asked the board to get the W4s to the Town Clerk as soon possible. The School Budget meeting is Wednesday night at 6pm in the cafeteria. Goody asked if we have a new principal. White stated that to his knowledge the current principal will work until the end of the school year.

14. *Board Comments:* Bladen volunteered to work with others on the disc golf concerns. Goody praised Public Works for all their efforts during the snow storm. Goody thanked White for his help with the budget process. Goody also asked what we are up against in regards to the beaver dam. If the beaver dam is on the agenda can we be forced to do something different? White stated no, as it would have to go to referendum. Much Discussion.

Kevin M. Allcroft, Chairman

Goody questioned if Disc Golf shows up with an attorney, do we need our town attorney. White stated we would not. Much Discussion. Grover- none. Lavoie asked how many people were at the first fire safety class at the fire station. Stewart answered there were none. The Fire Department will keep the classes and see how things go. We will have to reevaluate if needed. Allcroft- The board received individual letters from MTCMA. Received a letter from Ron Harriman. The intersection of Snows Corner Road will be done in 2013. Allcroft asked that Ron Harriman be at all the BACTS meetings. Grover- where are we with planning board on the business park? White stated land use changes will be scheduled for a public hearing sometime in March and ready for Town Meeting in June. Allcroft stated the information is in the letter from Ron Harriman. Much discussion.

15. Adjourn: Lavoie moved to adjourn at 9:39pm. Bladen seconded. **Vote:** Yes-5.

Respectfully Submitted,

Julie Chaffee, Asst. Clerk

Chairman

Manager

Clerk

Kevin M. Allcroft, Chairman