

**TOWN OF RANDOLPH**  
**BOARD OF SELECTMEN**  
**Tuesday, January 21, 2014**  
**5:00 p.m.**

***BOS PRESENT:***

**Bob Henderson, Chair**  
**Edward F. Gorham**  
**Mark E. Roberts**

***OTHERS PRESENT:***

**Lynn R. Mealey, Town Clerk**  
**Art Forand, Public Works**  
**John Larouche, Town Attorney**  
**Bruce Holmes, representing Damariscotta Hardware**  
**Janet M. Richards, Treasurer/Tax Collector**  
**Ron Cunningham, Fire Chief**

Meeting was called to order at 5:00 p.m.

**Val Bolduc** was at the meeting asking to speak with the Board regarding the Animal Control Officer. He maintains that he has called Chris Martinez and left messages which have not been answered. He stated that this had happened more than once. Bob Henderson said that the town clerk had called Mr. Martinez to ask if he wanted to attend this meeting and discuss the issue but he could not attend. Bob said that the Board will ask Mr. Martinez about this. Mr. Bolduc left the meeting.

Bob Henderson made a motion to accept the **minutes of the January 7, 2014** meeting. Mark Roberts seconded the motion. **VOTE – UNANIMOUS.**

Art Forand presented to the Board a “**policy**” dated 1996 regarding the responsibilities of the homeowners and the Town with regard to sewer problems. This was in a “policy book” filed in the office. This states that the homeowner will be responsible from the home to the town sewer main and if there are problems with the sewer and the road must be dug up by the town, the homeowner will pay for that. Mark wondered if those who have “easements” would be exempt from that. He is uncomfortable with that and still feels that the sewer ordinance should be updated to reflect the procedures of the town properly. This will be investigated and if the ordinance needs to be updated, the procedures will have to be followed.

Art also shared a letter the town received from the PUC regarding violations of “not marking” the sewer lines which resulted in the gas company breaking some of them. This letter states that the town is being reprimanded for this but there will be no fines involved. Art says that our utilities were marked. It states that future violations may be prosecuted. Art is going to attend a damage prevention training at the PUC on Wednesday, January 22, 2014 at 8:00 a.m. Art is going to take up the fact that the utilities were marked. The mains are marked but the branch or service lines are not. According to the “policy” it is not the town’s responsibility to mark these branch or service lines. Art will find out more when he attends the training.

Also, there have been phone calls regarding tree branches, etc. that came down during the recent ice storm. Some residents are wondering if the town would be coming around with a chipper. Art doesn’t feel that the town can do this as last time, the town did not have to pay for it. There was more damage and this time there is not as much devastation. Bob said that if it is in the right of way, the town may come around and clean it up in the spring. Ron Cunningham stated that if anyone calls, they may try calling 211 for information regarding getting these things cleaned up and being reimbursed for uninsured damages.

Bob St.Pierre gave Art a list of what he has determined are the rights-of-way around here. This should give the town guidance when going to clean up things in the right of way.

Art asked about trees hanging over the rights-of-way. Mark said he believed that if they were hanging over the right of way, they would be the responsibility of the town. Bob Henderson said that he believes the homeowner should be contacted for permission. Art said he would like to take a ride around town and see how much there might be and discuss hiring someone to come in with a bucket truck to do the work.

Ron said that he has given a list to FEMA but they stated that they were expecting more and maybe this might be included in a revision if there is to be one.

Mark said that he had looked through the Ted Berry "contract" and had some thoughts and concerns. Art believes that the prices quoted are not on top of any other fees. Mark was concerned that it refers to "Exhibit A" but he did not see anything labeled as such and a few other minor details. Art will contact them that hopefully have some of the information in question electronically transmitted. Mark wanted to make sure that they know that we allow "pump arounds". He also wants to know if they have a Work Order Notice.

Art asked if the town had been notified as to where the gas lines were going to be installed. He has seen Cornerstone Energy in town. Mark Roberts will call Mike Duguay from Summit Natural Gas of Maine.

There was discussion of the large pothole at the bridge intersection, in the north lane. Bob Henderson said that the number to call for DOT regarding **potholes is 624-8200**.

Art asked if he could attend the Work Zone Traffic Control seminar on February 4, 2014 sponsored by Maine Local Roads. He will ask Sonny and possibly Andy from the Fire Department to attend also.

Ron told the Board that Summit was having a natural gas training seminar on February 4, 2014 at 6:00 at City Hall in Gardiner. Ron needs to let them know how many will be attending. Art will probably attend.

Ron also mentioned a meeting on the "consolidation of services" at the SAD 11 office on Highland Avenue at 6:00. This is regarding combining the fire chief and police chief into one position in the City of Gardiner. This has been tried before in other cities but has not been successful.

Bruce Holmes and two others were at the meeting regarding Damariscotta Hardware and the properties they have purchased and their intent to build the hardware store. John Larouche, the town's attorney stated that he was satisfied that there was no issue with the Common Cause Case. This deals with public land being used for private purposes.

There was discussion about title problems but John feels that dedicated "public parking" may be a way around some of these issues. This would make it a public use of the land. There is also an issue with the location of the fire hydrant on the fire department land. Ron believes that the Gardiner Water District could relocate the hydrant to a different area on the property to better serve the fire department and the hardware store. The plans being looked at today do not show the land used by Summit for their regulator station. Attorney Larouche suggested that Damariscotta get an updated set of plans.

Damariscotta asked about the timeline for relocating the fire station. It was explained that they have only begun with the financing part of the process which may move along slowly. Most financial institutions will not even begin the process until they have plans drawn up. This will take a while. A survey will have to be done and hiring an architect will be part of that. There must be a design concept before financing can be started.

Damariscotta and the Town will have to work on the egress of the property. Rob from Damariscotta will need to sit down with the engineering group and get a copy of the plans and buildable area and see what Dave Allen from the DOT thinks. They are concerned that if they use some of the parking for public parking, there would have to be restrictions such as "2 hour parking" as opposed to BIW parking which would not limit the amount of time people can park here.

John Larouche feels that this can be worked out.

TIFs were brought up. Damariscotta will be bringing their attorney back to the February 4, 2014 meeting for the purposes of discussing this. Firstly, a "TIF zone" must be established in the town. Only a certain percentage of the town can be used for this. Damariscotta feels that since this land is in the flood zone, this would be the reason for asking for a TIF.

This is going to be discussed in detail at the 2/4 meeting. Damariscotta will be bringing their attorney who deals with TIFs for the purpose of making their case. John asked if Damariscotta had a lender at this point and if they do, please have them make a proposal. The TIF process is lengthy

The representatives of Damariscotta Hardware left the meeting at 6:24 p.m.

Bob Henderson made a motion to go into **executive session per 1.M.R.S.A. §405(6)(E)** for attorney-client consultation. Mark Roberts seconded the motion. **VOTE – UNANIMOUS.** Board went into executive session at 6:25 p.m.

At 6:55 the Board came out of executive session with no motions or votes being taken.

Janet Richards entered the meeting with a **supplemental tax bill** for the Board to approve. Mark Roberts made a motion to commit the taxes on this property in the amount of \$457.60. Bob Henderson seconded the motion. **VOTE – UNANIMOUS.**

Bob Henderson made a **motion to adjourn** the meeting. Mark Roberts seconded the motion. **VOTE – UNANIMOUS.**

Meeting was adjourned at 7:20 p.m. Next meeting is Tuesday, February 4, 2014 @ 5:00 p.m.

Respectfully submitted,

Lynn R. Mealey, Town Clerk