

TOWN OF RANDOLPH
BOARD OF SELECTMEN
June 3, 2014
5:00 p.m.

BOS PRESENT:

Robert Henderson, Jr.
Edward F. Gorham
Mark E. Roberts

OTHERS PRESENT:

John Larouche, Town Attorney
Shana Cook Mueller, Bernstein Shur
Ed Berger
Everett “Sonny” Barry
Ted Barry, E.C. Barry
Robert Gardiner, Damariscotta Hardware
Lynn R. Mealey, Town Clerk
Janet M. Richards, Tax Collector
Jill Todd
Gloria & Darryl Fitzherbert
Bob St.Pierre, CEO
Art Forand, Public Works/Cemetery

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

Bob St.Pierre came to the meeting at the request of the Chairman of the Board. There have been more complaints on two houses on **Jones Street** that may be in disrepair and/or dangerous buildings. Bob said that the town was contacted by the homeowners and they were looking to have the town condemn the property and tear it down. This would be a cost to the town. John Larouche stated that Title 17 could be used to demolish the house and put a lien on the property. One of the houses is now empty and this is the structure that appears to be unsafe. John Larouche said that Janet Richards can search the title. He is concerned that this could be a hazard to children in the area. John will look at the statute and research it a bit so he will take this on for the research part.

Bob also informed the Board that he had put a memo in their folders for consideration during the budget process. Bob left the meeting at 5:08 p.m.

Shana Mueller brought the final documents to the Board which will enable the setting of the **special town meeting**. She reviewed the documents with the Board and explained the steps that will have to be followed to get the special town meeting/public hearing on track for the 17th. She went through the Exhibits. Mark gave her the listing of possible projects and their estimated costs.

John mentioned that there was a \$300,000 cap on what can go to Randolph Properties but there was an estimate of \$248,000. The reason for the discrepancy is \$300,000 is what the site work is estimated at and so that ideally is what the reimbursement would be from the company’s perspective. This will basically be a protection for the town as this is an honest request from the company. They are just trying to insure the town that it will not go above that. John Larouche said that he thought maybe there should be an asterisk and note just stating that this is the “projected” reimbursement amount. It could say that this is the estimated value capped at \$300,000.

Rob Gardiner from Randolph Properties has been told that the planning board is scheduled to meet in the next week or two.

The town clerk asked about the procedure of the public hearing/special town meeting. It was decided that the meeting will be started at 6:00. You can have the hearing before the town meeting or the town meeting can be started and when you get to the article the public hearing can be opened. Everyone has to be allowed to speak and/or ask questions. The newspaper ad for the Special Town Meeting will be separate. Shana explained that it will all be held together. The notice of public hearing will be drafted, sent to the KJ and to Shana for

approval. The posting of the special town meeting warrant must include all the documentation and copies must be available for the public. She will send a PDF of the documents to the office.

For the pipeline TIF, there are colored coded maps that show the TIF district. There was some question about the green space at the end of the bridge and the right of way there. It was the general consensus that there isn't going to be any infrastructure there. This could be amended in the future.

She has talked with the town's assessor, William VanTuinen about the assessment of the pipeline. He was unsure about how to do this. He said that the valve station assessment was around \$440,000 but that sounds low. They will try to get this information and Summit is now working to get this information to the towns and municipalities. It was thought that the \$440,000 may be just the value of the buildings and not the equipment inside. The town wants to capture 100% of the value. If Shana gets updated numbers before the town meeting, she will redo the tables. She will answer questions etc., at the special town meeting and public hearing but she stated that the Board should show that they are in favor of this. She will have all the documentation for the Board to sign after the town meeting that can be submitted to the DECD.

Shana Cook Mueller left the meeting at 5:36 p.m.

Art Forand asked if he could address the town attorney with a **situation in the cemetery**. A person contacted him regarding her daughter who has "stolen" her father's ashes and wants to bury them in Maple Grove Cemetery in a plot. The mother says she does not want her daughter to do this. The mother has filed papers in small claims court to get the ashes back. John asked if there was a required permit for burial in the cemetery. Art said that usually a funeral home is involved and a contractor is called for digging graves. John said that the daughter can be stopped from burying the ashes. This cannot be done especially if there is court action going on. Also, if she tries to bury them, the police should be called as she will not have permission from the town. John also said that the mother may have the right to the ashes over the daughter. There are statutes regarding this and John will look into this further.

Also there was discussion about the **sewer line on 26 McLaughlin Terrace**. The homeowner has an easement but wants to know if the town is responsible for the removing the birch trees if they are damaged in the process. An arborist told her that the roots of the birch trees are likely to be damaged and the trees will die. There are statutes governing this and he will look into this and get back to the town. He thinks that the town will not be responsible because the work is being performed by the town required for a public utility.

John Larouche left the meeting at 5:46 p.m.

The **snowplow/sanding/sweeping bids** were addressed. Mark Roberts stated that there was going to be an **addendum** for the bid process. He removed the sealed bids from a container and stated that he was going to return them to the bidders unopened to give them the opportunity re-submit the bids.

Only one of the two contractors who bid the jobs was at the meeting. Based on conversations with an insurance company the bonding was a problem. The town is going to change the size requirements of the equipment to be used. The bonding was also changed from 50% to 100% because it was discovered that this would cost the same amount. The GVW was changed to 28,000 minimum pounds and two trucks of that size. E.C. Barry & Sons took their sealed bids back and the addendums and will submit a new bid by the next meeting of the Board which will be Thursday, June 5, 2014 at 5:00 p.m. The other bidder will be given their unsealed bids back so that they may also resubmit. Mark will call them and inform them of this change.

The Board recognized the daughter of resident Pamela Jones to discuss ongoing tax and wastewater liens against the property. She asked if the town would not move forward with foreclosure properties if her mother agreed to pay \$200 every two weeks. The tax collector was consulted about the amount due, the state of foreclosure. Janet explained that the 2011 taxes were already tax acquired. The 2012 won't be acquired until December and 2013 will go to lien on Friday of this week. She suggested that the \$200 bi-weekly (\$400 monthly) be put on taxes and wastewater. Mark Roberts made a motion to accept the proposed payment agreement and not take action unless the payment agreement is broken. Bob Henderson seconded the motion. **VOTE – UNANIMOUS.**

Mark Roberts made a motion to **appoint Aaron Cosand to the Randolph Planning Board** to replace Mark Roberts. Ed Gorham seconded the motion. **VOTE – UNANIMOUS.**

The snowplow contract with **L & L Services** was presented with the approved changes in place. All three board members signed the contract.

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

Meeting was adjourned at 6:03 p.m. Next meeting will be Thursday, June 5, 2014 @ 5:00 p.m.

Respectfully submitted,

Lynn R. Mealey, Town Clerk