**MINUTES OF**
**SPECIAL TOWN MEETING**
**October 2, 2013**

**STATE OF MAINE**
**COUNTY OF KENNEBEC, SS.**

GREETINGS:
In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Randolph in said county and state, qualified by law to vote in town affairs, to meet at the Town Office, 121 Kinderhook Street, in said Town of Randolph, Wednesday, October 2, 2013 at 6:00 o'clock in the evening and thereto act on the following articles:

Article 1. To choose a moderator by written ballot to preside over said meeting.

***Peter Oakes was elected Moderator by written ballot.***

Article 2: To see if the voters of the Town will vote to grant a permanent easement to Summit Natural Gas of Maine, Inc. ("Summit") over Town-owned property located at Tax Map 02, Lot 01, Water Street, Randolph, Maine (the "Property"), for a price paid to the Town by Summit of not less than Twenty Thousand and no/100 Dollars ($20,000) to allow Summit to install a natural gas main over said Property, and to construct and operate on said Property a regulator station, shut off valve, and other equipment for such gas main, including a building approximately 12 feet by 23 feet in size, all according to drawings prepared by Summit and submitted by Summit to the Municipal Officers of the Town for their approval.

***Bob Henderson made a motion and motion was seconded to amend Article 2 to include the following wording. "That the Town also be authorized to demolish an existing building on the site and that any payments received by the Town from Summit Natural Gas of Maine, Inc., be deposited in the general fund of the Town"*** **Amendment passed.**

***Discussion regarding why the Town was expected to demolish the town garage. Bob stated that the public works department was being done away with and this is why the public works garage was going to be torn down and the cost would be taken out of the proceeds of the easement sale. The question was also asked why the town would not have Summit tear down the garage and pay to build a new one for the town. It was also asked why the Town was not getting a yearly payment for the lease as opposed to a "one-time" payment.***

***Selectmen Bob Henderson explained that Summit will be taxed on the buildings etc. They will pay taxes on just the building as the town will retain ownership of the property.***

***Peter Coughlan questioned as to whether or not the original article could be amended. Bob Henderson stated that the town attorney crafted the amendment and said that it was permissible to do so.***

***A question was asked of Summit as to how they arrived at the $20,000 figure and they explained that this figure was arrived at by doing "comps" in the area.***

***A resident asked what the cost of demolishing the building would be. Bob Henderson opened two sealed bids: McNaughton Brothers $9,275.00 and DB Nadeau was for $5,975.00.***

***It was also asked if the money from the sale could be used to build a new town garage where the money was going into the general fund. This was never answered.***

***A resident asked about why the Park & Ride down by the Pittston line was not considered for the regulator station. Summit explained that this site was their first choice but that it is owned by the DOT and they would not permit it. It is owned by the Firefighter's Association but the DOT has the use of it as a Park & Ride. Bob Henderson brought this land at the Fire Station/Pump Station to the attention of Summit as a possible site for the regulator station.***

***Peter Coughlan discussed the fact that the deeds to the property were discovered to have a "reverter" clause and even though the attorney for Summit has looked at this and said it is fine, Mr. Coughlan feels that the Town's attorney should be consulted and give the okay. The deed goes back 77 years.***

***Mr. Ken Young who represents Summit, explained the "reverter" language would not be a problem as this is a legitimate town use which is required by the deed. He quoted a Supreme Court case from the past that supported their feeling that this would not be a problem.***

***Mr. Young suggested that the article with amendments be passed at this meeting "contingent" on the approval of the Town's attorney as time is of the essence****. The* ***Planning Board is scheduled to meet on Wednesday, October 9, 2013 @ 6:30 p.m. to approve the construction of the regulator station.***

***The regulator station will be elevated above the flood zone and there will be some fencing and possible shrubbery.***

***The moderator asked if someone wanted to make a motion to the amendment that this being contingent upon a clear title.***

***It was suggested that the Planning Board move their meeting but Peter Coughlan explained that it had been advertised and could not be moved.***

***Summit is prepared to pay the Town for the cost of the demolition at the low bid and pay the price for the easement. They will add the price of the demolition to the cost of the easement.***

***Bob Henderson explained that public works equipment will be sold with only a few things retained and that he would like to go back to the public works person being "on call". Art Forand is acting in this capacity for the time being.***

***It was expressed that this would be a reduction in services for the townspeople. A resident asked about the noise levels. It was explained that it would be around 30 decibels. This was compared to a loud conversation in a busy office building which is around 70 decibels.***

***Peter Coughlan made a motion to pass this article "contingent" on the title problems being cleared up by the town attorney and that we accept Summit's offer to pay for the demolition of the building. Motion was seconded. \Motion passed.***

***Article 2 passed with amendment and contingent on the title and reverter clauses being cleared up by the town attorney's.***

***There were 47 registered voters in attendance.***

***Motion made and seconded to adjourn the meeting. Meeting was adjourned at 7:05 p.m.***

***Respectfully submitted,***

***Lynn R. Mealey, Town Clerk***