

Selectmen's Meeting
August 23, 2016
Tuesday, 4:00 p.m.

The meeting opened at 4:00 p.m. Present were Selectmen George Donovan, Tony Palminteri and Glenn Dochtermann. Also present was Joyce Wood, Administrative Assistant and Fred Holt, Treasurer.

Attorney Leah Rachin, of Bergen Parkinson Attorneys, the Legal Counsel for the Town of Alfred met with the Board to discuss several topics:

1. The upcoming vote on the marijuana issue and the potential need to have a moratoria on what the Town may do to handle this if the vote passes. Ms. Rachin said that currently the legislature allows medical marijuana as well as licensed dispensaries and that this is separate from the upcoming vote. The vote is to or not to legalize the use of marijuana for the general public. Because there would be options for the Town to consider if this were to pass including potential zoning changes, restrictions on where the Town would allow for the sale of marijuana or to disallow in certain zones, the Town may consider putting a six month moratorium on this. The moratorium would give the Town the time to make decisions and make needed changes in the zoning ordinances regarding this matter. After much discussion, it was moved and seconded that Attorney Rachin would begin the process to put together a potential moratoria for the Board to review.

2. Town Owned Property and the legalities of what the Selectmen can do with this land was discussed. An approved article in the 2002 Town Meeting warrant was shared as well as an approved article from the October 30, 2002 Special Town Meeting which superseded the older article in March of the same year. This article states that "It was voted to authorize the Selectmen on behalf of the Town to sell and dispose of any real estate that has been acquired by the Town for non-payment of taxes thereon, by public sale on such terms as they deem advisable, and to execute quit claim deeds for such property or to execute quit claim deeds to owner(s) at the time of foreclosure upon payment of all costs and interest, and if no sold at public sale, then thereafter in any reasonable commercial manner. This article supersedes and replaces Article #97 adopted by Town Meeting on March 8, 2002. The authority granted herein shall continue until revised, amended or revoked."

Attorney Rachin said that this must be done in a proper manner with all steps taken to include right notices to the right people before a quit claim deed is given.

3. Fiscal Year – The only question presented to Attorney Rachin at this time was on the Election of Officials were at the end of their three year terms and she concurred that the terms can go until the June Town Meeting and elections can be held at that time to fill the expired terms.

4. Time Warner Franchise – It was reported that Attorney Brad Morin has agreed to turn over all related paperwork on the renewal of the Time Warner Franchise to Attorney Rachin as requested. Attorney Rachin agreed that she will take over the franchise renewal for the Town of Alfred.

5. Selectmen meetings and the posting of them when two or more of the Board are present was discussed. Attorney Rachin said that this is not necessarily true and that there are circumstances where two may be together at a meeting but does not constitute a "Selectmen's Meeting" if no Selectmen topics are discussed. She gave a couple of examples where this would be true.

6. Road Naming – The CEO, Jimmy Allaire, asked about the naming of private ways that came off of a deeded right of way and what name should be given to the original right-of-way that currently has it's own name given by a resident who uses the easement for access to his property. He added that

he needs to make a decision for 911 purposes. After further discussion, the Attorney said that she would look into this. Mr. Allaire agreed to send her backup information.

7. The expansion of or change of use of nonconforming lots was discussed. Attorney Rachin agreed to look at any specific property that may be in question if the need arises to determine what can or cannot be done in this matter.

8. Lastly discussed with the Attorney was the regulation of the gifting of land to relatives and what the regulations are as to waiting every 5 years to do one split or could they be done together. After further discussion on this, Attorney Rachin agreed to research this and respond back to the Codes Officer.

The minutes of the August 16, 2016 Selectmen's meeting were read. Motion was made by Mr. Palminteri and seconded by Glenn Dochtermann to approve them as submitted. All voted in favor.

The group discussed the upcoming meeting with Departments, Committees and Employees regarding the December 3, 2016 Town Meeting and budgets for a six month period. A suggestion was made to present to each a recommended budget based on the Treasurer's records of what was spent in the first six months of previous years. This was felt to be a good indicator of the needs for a six month budget and would be easier in most cases for the different departments, committees than to work up this budget on their own. At the August 30th meeting the recommended budgets could be passed out with explanation given that, if the presented budgets do not seem to work for some reason, too little or too much then an individual case could be made to the Budget Committee and the Selectmen on a change. After further discussion it was moved and seconded to handle the budget requests for the six month budget in this manner. All voted in favor.

After discussion the Board was in agreement that Selectmen should not be members of any Town Committees but should be available if needed. The needed changes to the ordinances for committees should reflect this decision and Joyce Wood was directed to make these changes for the warrant on December 3rd.

An e-mail from Chris Woodall was discussed. After discussion, all were in agreement that Mrs. Wood speak with him on clarification on what the next steps are for the Massabesic Forest and request from the Towns of Alfred and Lyman to the US Forest Service.

Two Town owned property lots were discussed. Motion was made by Glenn Dochtermann to hire a licensed forester to evaluate and give a value on the timber of these two properties and that Mr. Palminteri will contact a forester. Also that funding for this would come from the Consultant line item. Mr. Palminteri seconded the motion and all voted in favor. All voted in agreement.

Notice of the Planning Board Public Hearing to be held on September 7th was read.

Four tax abatements were explained. Motion was made by Glenn Dochtermann with second by Mr. Palminteri to approve and sign them as presented. All voted in favor and they were signed.

Two Tax supplements were explained. Motion was made by Glenn Dochtermann with second by Mr. Palminteri to approve and sign them as presented. All voted in favor and they were signed.

An Assessor's 801 form was approved and signed by the Chairman.

The Rescue end of month report for July was read.

After review and explanation of the Municipal Valuation Return for Alfred, it was moved and seconded to approve and sign the document as filled out. All voted in favor and the Return was signed.

The Board was reminded of a meeting at the Water District Office on Wednesday August 24th at 3:00 p.m. Mr. Donovan and Mr. Palminteri both indicated that they may be able to attend.

The warrants were reviewed by the Board. It was moved and seconded to approve and sign them as submitted. All voted in favor and the warrants were signed.

Jon Lord, Road Commissioner, met with the Board. He reported that he has been doing ditching work this past week in several locations town-wide. He also reported that the paving has not yet started but that he has met with a representative from F.R. Carroll to discuss this.

Joyce Wood reported that she spoke with the Alfred D.O.T. Garage employee as she was directed to and was told that the D.O.T. will not make any changes to the "jake-break" sign across from Kallis Garage. He gave her the explanation that it didn't matter who put the sign up originally, the D.O.T. no longer has anything to do with these signs. He added that if Alfred wanted to put the sign on the other side of the road they could so. Mr. Lord said that he has been told that he should not be doing any work on the State roads. This was discussed and Mr. Donovan said that he would follow up on this matter.

Mr. Lord then asked the Selectmen about the recurring washout on the State maintained portion of Kennebunk Road near the Library. He said that this has been worked on several time by the D.O.T. but that it keeps recurring during a heavier rain. After discussion, all were in agreement that Mr. Lord contact the D.O.T. to discuss this. He agreed to do so.

Fred Frodyma, Chairman of the Shaker Woods Reserve Committee and Michael Kay, Chairman of the Conservation Commission, met with the Selectmen at their request to discuss the easement with the Three Rivers Land Trust with the Town of Alfred on the 34 acre open space adjacent to the Shaker Woods subdivision. Specifically discussed was the Shaker Woods Committee that was originally set up as part of the agreement that the Selectmen appoint a committee to work with the Holder of the easement in carrying out all stewardship responsibilities of the protected property. This Committee was set up and did significant work on the property but now over 10 years later this committee has dwindled down to one or two members and the question of eliminating the "Shaker Woods Committee" and putting in place for the easement purposes the "Alfred Conservation Commission" has been discussed. Mr. Kay stated that this work is now being done by members of the Conservation Commission and that they, as a Committee, have agreed to take this over. Mr. Frodyma stated that this has been discussed with Three Rivers Land Trust and that the authorization has been given to make this change by them. Mr. Frodyma, Chairman of the Shaker Woods Committee reported that the Committee and the Conservation Commission have agreed that because the work is being done by the members of the Conservation Commission that they recommend that the Shaker Woods Committee be dissolved and that The Conservation Commission be named as agreed on by Three Rivers as the Committee to carry out all stewardship responsibilities as stated in the easement.. A letter from Three Rivers Land Trust President, Jean Noon, was read which stated that "the change is consistent with the easement's purposes." After further discussion, motion was made by Selectmen, Tony Palminteri to dissolve the Shaker Woods Committee and to give the duties as stated in the Shaker Woods Easement over to the Alfred Conservation Commission, Chaired by Michael Kay. Selectmen Glenn Dochtermann seconded and all voted in favor.

After discussion of the trees on the Town Green, all were in agreement to request that the Conservation Commission research through professionals the condition of and make

recommendations to the Board regarding what should be done with the trees. Both Commission Members present agreed to do so.

The meeting was adjourned at 6:00 p.m.

The meeting was reconvened at 6:05 to meet with the Fire Chief, David Lord. He reported that the full-time firefighter is in the running for a new position in another Town and that he would keep the Selectmen's office up to date on this.

The meeting was adjourned again at 6:20 p.m.