

**SELECT BOARD MEETING
AUGUST 6, 2009**

PRESENT: Paul Rooney, Chairman; Denise Lindahl; Drexell White; Jack Driscoll, Town Administrator; Amon Morse, Road Commissioner; Peter Allen, NVC Representative; Barbara O'Leary, Town Clerk

Citizen Concerns:

Mr. Frank Muller was present to request two crosswalks in Temple Heights. Last year the Temple Heights Assoc. requested crosswalks from the State. However, since Shore Road is a Town road it is up to the Town to determine if they want crosswalks or not.

Mr. Muller stated the Association would like two crosswalks placed, one at the bottom of Mountain Street and the other at the bottom of High Street. He is willing to do the work if the Town agrees to the placement. The reason for the crosswalks is to allow pedestrians to cross to and the shore side safely. The residents in Temple Heights feel the traffic moves too fast and a crosswalk would allow going from one side of the road to the other safely.

According to the DOT there must be a No Parking area a minimum of 20' on either side of the crosswalk. The crosswalk itself must be a minimum of 10' wide with 500' between each crosswalk. Appropriate signage is also required.

Denise Lindahl stated although she does not have a problem with the crosswalks, there would be no way to enforce stopping for a pedestrian in the crosswalk or to monitor speed. She noted the hospital has placed large cans in the middle of their crosswalks in Belfast during the day and brings them in at night. Placing these cans in the crosswalks might slow down drivers.

Discussion followed on materials needed to place the crosswalks. Drexell White pointed out the paint needs to be reflective. He also suggested getting No Parking signs for the areas before and after the crosswalks. Paul Rooney asked Road Commissioner Amon Morse to get the necessary paint and signs. Amon Morse recommended using a template for the crosswalk and painting them onto the road. Mr. Muller volunteered his labor if Amon needs help.

Cliff Road Paving

Seth Thayer asked if the paving of Cliff Road would include the whole street. He noted the paving currently ends just before his house. He stated in the fall and spring there are major ruts from rain and the road needs to be fixed. Amon Morse stated the paving would end just before his house. From that point on, more work is needed as far as ditching, gravel and grading to get the road ready for paving. Paul Rooney also stated there was too much work needed on that end of the street for this year, but they hope to get it done next year. Mr. Thayer thanked the Board for their time.

NVC:

Peter Allen reported all was quiet in the Village. The Annual Meeting will be held Tuesday, August 11, 2009 at the Community Hall. He will not run as an Overseer due to health issues. Denise Lindahl asked if he would continue as the liaison between the Town and the Village. Mr. Allen stated if asked, he will continue.

Jack Driscoll noted there is a resident who has been paying a Village tax, but feels they are not in the Village. Ralph Stanley and Susan Brown recently did renovations at their property. It was discovered they had not obtained the necessary building permits and have since complied with that. However, on

maps obtained from the Village their property appears to be outside the Village area. The Overseers maintain they are in the Village and the Village Charter states they are in the Village.

Birchcrest Hydrants:

Paul Rooney asked if any of the Birchcrest residents would be at this meeting. Both the Administrator and Clerk thought someone would be there, but no one was present. The residents spoke with the Village Utilities Committee and were told the hydrants are a Town issue. Paul Rooney noted Peter Simpson spoke with the Belfast Water District who informed him there is water for the Village but there is a series of hydrants, a standpipe would be required

There is a hydrant by the school, which is used to fill the trucks, but is very slow. The Fire Department gets water from the pond.

Roads & Bridges:

Road Commissioner Amon Morse stated Lane Construction would be paving Ryan Road, Rocky Road, Prescott Hill Road and Cliff Road. Paul Rooney asked if they would also fix the bumps and heaves. Amon Morse will have F.C. Work look at these.

There were complaints with the tree cutting done by F.C. Work. Some residents thought too many trees were cut and they left a large mess behind.

Paul Rooney asked if the rest of the trees at Kelly Cove have been taken down. Jack Driscoll stated they are not down yet. Didier Bonner-Ganter looked at the test holes and determined the soil is not appropriate to plant more trees. He felt smaller shrubs would work. The other trees Mr. Bonner-Ganter recommended be removed have not been taken down yet. Jack Driscoll pointed out these are the same trees, and plant list, approved by Rich Baker of the DEP. Paul Rooney asked for estimates for the next meeting to remove the rest of the trees in question and plant appropriate shrubs.

A new culvert was installed at 776 Shore Road.

RA Power:

Dean Scontras and Rick Benoit of RA Power were present to discuss wind power in Northport. They have continued to meet with Senators Snowe and Collins as well as many other legislatures in regard to wind turbines. They believe they have the political backing of both Senators for a community based wind farm and they would sign off on an application. RA Power continues to seek funding through grants and the private sector. They will continue their efforts in starting up a wind farm whether Northport decides to go forward with this or not. There are other towns in the country that are looking at wind power and contracting with consultants to get them through the labyrinth of paperwork within the process. Denise Lindahl asked how many other towns in Maine were looking at this. Dean Scontras was not sure. He stated other towns are interested, but no one has submitted an application.

Paul Rooney asked how the DOE grant application can go forward without any of the studies complete. Dean Scontras stated with wind speeds already recorded for this area, they could waive the study for now and allow the Town to complete the study after the application is approved. Denise Lindahl asked what the cost of the studies would be. Rick Benoit said we would need a MET tower and an analyst to gather and read the information. It would cost about \$40-60,000. The wind study should be done on the highest point of land. If the town doesn't own that piece, an agreement with the landowner for purchase or lease may be negotiated.

The time frame is date sensitive and the application would need to be submitted as quickly as possible. The application must be in by 9-3-2009 and will be awarded by 11-11-2009. Once awarded the grant, expenses incurred during the 90 days prior to the grant award will be covered under these monies.

Paul Rooney stated the Board is thinking of hiring RA Power for three months, which would get us through the DOE deadline. The article for the Special Town Meeting would ask to appropriate \$50,000 for their consulting fees for those months. At the end of that time we would know if any of the grants, and the application, was approved for Northport. Rick Benoit stated the \$50,000 would cover the cost of himself and Dean Scontras plus any travel expenses they may incur. He estimated there may be a monthly trip to Washington DC as well, which this amount would cover. A discussion followed on the Success Fee noted in the proposed contract. Rick Benoit explained this would be based on a dollar figure per megawatt for the overall project and would be a one-time fee.

Drexell White stated it is critical to outline the steps needed to reach the September 3rd deadline. This should be clearly stated at the hearing on the 12th. The residents need to know what we hope to accomplish and how we will get there. RA Power should also address what other means of funding, other than grants, they will pursue and the steps to get us there. Rick Benoit stated they have a list of solid investors and they will look at multiple strategies for funding. The grant monies mentioned are only one component of fund available. The funding they do receive will also cover their fees after the 11-11-2009 deadline.

Denise Lindahl asked what other expenses the town might see, such as employees for the town, maintenance etc. Dean Scontras stated we would need one employee trained in wind turbines to check them on a regular basis and maintain them. That fee would be negotiated with the person.

Rick Benoit stated the project could be thought of in two Phases. Phase I would be the application process, funding, investors, wind, bird and bat studies. Phase II would begin after the studies are complete and the turbines are delivered.

Mr. Benoit also stated an LLC would most likely be set up by the Town through which the project is managed. This would include separate record keeping and auditing.

The hearing will be Wednesday, August 12, 2009 at the Drinkwater School. The Administrator was instructed to schedule the school for the meeting. Ads will need to be placed for the hearing as well as the special town meeting scheduled for Thursday, August 20, 2009. Paul Rooney asked Jack Driscoll to see if we could use a projector from Point Lookout for the RA Power presentation.

The Board thanked Mr. Benoit and Mr. Scontras for all their time and energy put into this project.

Discussion followed on the wording of the Warrant Article for the Special Town Meeting. It was agreed the article would read as follows:

“To see if the Town will vote to appropriate the sum of \$50,000.00 from the Undesignated Fund Balance and to allow the Select Board to enter into an agreement with RA Power Solutions to act as consultants for the Town in preparing and submitting applications for grants and other sources of funding for a community wind turbine project.”

Town Administrator’s Report:

1. CEO Office: Electrical cost is estimated to be \$495.00, construction cost is \$1010. The total cost to enlarge the office is about \$1500.

Under motion of Denise Lindahl, second by Drexell White, the Board voted 2-0 to expand the CEO office with work to be done by Jamie Drinkwater and Mike Alley at an estimated cost of \$1500.00. Paul Rooney abstained.

Carnahan Property: CEO John Larson and Town Attorney Bill Kelly will meet with Adam Carnahan on Thursday and walk the property, looking at the septic violation. Mr. Carnahan does not believe the septic violation is on his property, but is on the neighbor's property.

2. Harbor Committee: Jack Driscoll is still trying to convene the Harbor Committee to review the applications for Harbor Master. Drexell White asked if he had determined if Captain Reed is a U.S. citizen. The Administrator stated when a meeting date is set and the applicants need to come before the committee he will ask at that time. If he is not a citizen, he will not go before the committee.
Denise Lindahl noted this is dragging on and asked if it was required that the Harbor Committee makes the recommendation to the Board. She pointed out the final appointment would come from the Select Board, not the Harbor Committee. Drexell White stated he would check the Harbor Ordinance on this.
3. Salt & Sand Garage: John Devin of the DOT has estimated the Town would need .6 acres for the salt & sand garage. The cost for the land would be \$15,000.00. Denise Lindahl asked if it was necessary to put up the building this year. If we could hold off on that till next year it could be brought up at the Town Meeting and not a special town meeting. Jack Driscoll thought we had to put up the building now. The Board instructed him to check with the DOT and the Code Officer.
Mark Daigle, the Region II Surveyor, should have the survey done next week.
4. Town Web Site: Sephone has set up the page for the website and loaded a picture onto it. Training will need to start so we can upload information to the site. Discussion followed on when to have the training. Jack will try and set something up for next Thursday.
5. Nationwide Payment Solutions – MunicPay will give a presentation at the 8-20-2009 Board Meeting. Denise Lindahl asked if this was the right time to have them attend since it is an early meeting and a short one before the Town Meeting. The Administrator said they will be up here at the Managers Conference and it would be more convenient for them. Denise also stated this was more an office decision with the Deputy Clerk and Town Clerk. The Clerk asked how long the presentation would be and it should take. The Administrator stated it should take about a half hour. The Board agreed to keep the presentation but limit it to one half hour.
6. Kelly Cove: addressed
7. General Assistance: None
8. Legal: The Dhyse/Landry issue is almost settled. One final item will be addressed by mediation.
9. Animal Control Officer: no issues to report from Jerry. The Administrator does not believe the ACO has served the summons to Darlene Kazarian as yet. Denise asked if there have been other issues with her dogs. Jack is not aware of any.
10. Town Hall: Bill's Burner Service will install the new furnace in September.

11. EcoMaine: Allison McCready met with the Administrator at the Transfer Station to see our operation. She sent a questionnaire that needs to be completed in order for her to do the audit of our system.

12. RA Power: addressed

At this time Town Bookkeeper, Vicki Eugley joined the meeting. She distributed financial reports for July 31, 2009.

13. Knight's Pond: The DEP has approved removal of the building, outhouse and repairs to the boat ramp to the water line. Before the cement ramp can be put in place Submerged Lands needs to be notified for a 30-day public comment period. They will take the application from the DEP and place the notice for public comments. The cement ramp comes in sections and will be 30' long. The outhouse needs to be pumped out and filled with gravel before it is taken down. Jim Hanson will do the work.
More illegal campers were asked to leave Knights Pond.

14. Cliff Road: addressed

Richard Crampton has asked if he can buy sand and salt from the town, taking it from the pile, to be used on his driveway. He will pay for what he uses. Discussion followed. The Board felt this could be a problem with the plowing contractor and you sell to one resident you must offer this to all residents. Request was denied.

15. NVC: Addressed

16. Planning Board: Town Attorney, Bill Kelly held a work session with the planning board. He has stated they need an outside person to take minutes. The minutes should follow Roberts Rules of Order and follow an outline for Findings of Facts. Mr. Kelly also recommends a recording device be used. The Board asked the Clerk if she would be interested in taking minutes and be compensated. The Clerk will check into what is required and give the Board her decision at the next meeting. The Administrator was instructed to get information on digital recording devices.

17. The Planning Board Chairman has received word from the DEP that the Town's Revised Shoreland Zoning Ordinance has been approved. Denise Lindahl asked if the Town has received notification. The Clerk stated she received the letter of approval as well as the Code Enforcement Officer.

The Clerk stated she received a letter of resignation from Planning Board member Brad Penniman, effective immediately. Discussion followed.

Under motion of Paul Rooney, second by Denise Lindahl, the Board voted 3-0 to appoint Dee Reid full time Planning Board member.

The Clerk also stated the open position on the ZBA has not been filled. She stated one of the alternates could be appointed to the full time position. Discussion followed.

Under motion of Paul Rooney, second by Denise Lindahl, the Board voted 3-0 to appoint Jeanine Tucker full time Zoning Board of Appeals member.

The Clerk was instructed to place an ad for openings for alternate on the Planning Board and the ZBA.

Denise Lindahl asked if the cemetery plots have been sectioned out and the pricing fixed. Jack Driscoll stated he spoke with Dave Kinney of Lincolnville, who said Lincolnville did not have municipal cemeteries. Stockton Springs is currently reviewing their cemetery prices and Bangor charges \$800 per lot, which includes perpetual care. They also require flush stones. Stockton Springs will update their fees and may go forward with flush stones as well. Vicki Eugley asked if he had spoken with the Cemetery Association of Lincolnville. She stated they are a very active and progressive committee that could be very helpful. The Board instructed the Administrator to get information on plot sizes, pricing and sections for urns and gravesites. Good Deeds should be asked about plotting sites into sections for full burial and urns.

Clerk's Report:

Concealed Weapons: one permit was presented for a concealed weapons permit.

Planning Board: Brad Penniman resignation addressed

Abatements: two personal property abatements were presented. These abatements were for 2008 & 2009 property taxes. The company went out of business the end of 2007.

Local Road Assistance: the form for funds from the DOT for road assistance was presented. This must be filled completed and sent to the State before they will release funds.

State Valuation: the State has sent its report for the assessment of Northport. The State places our valuation at 72%. Paul Rooney asked if this included the loss from Point Lookout. The Clerk stated it did. The audit completed by the State gave the town a .5% increase. This would have been 3.5% increase without the loss from Point Lookout. She spoke with Town Assessor, Rob Duplise, about the .5% increase and if the Town could challenge it. Mr. Duplise stated he has never heard of a town challenging the State Valuation and felt it would be difficult to do.

EMA Summer Storms: There will be a meeting on August 18, 2009 in regards to the summer storms in June and July. The EMA Director, Peter Simpson, has been notified.

Contact Information: The Clerk presented an updated Municipal Contact List. If there are any changes, let her know.

MMA Risk Management: The Town has received a refund check of \$246.00 for our workers' compensation insurance.

Ditching and/or Road Sand Agreement: Leroy Harriman has requested the Town drop any ditching or road sand material at his property. An agreement is attached.

Wind Turbines: resident Alismarie Parsloe dropped off an article from the Bangor Daily News on wind turbines in Freedom. She asked that the information be shared at the meeting and be entered into the minutes. (Copy attached)

F.C. Work: the Clerk stated the invoices from F.C. Work need to be broken out. They include both emergency storm work and other work. This combining puts the invoices over the \$5000 out to bid policy. The Board instructed the Clerk to clarify the invoices with F.C. Work.

Transfer Station: The Clerk and Deputy Clerk have noticed contractors using the Transfer Station. Tim Patten has stated he allows this. The Clerk asked for clarification since in the past this was not allowed. Denise Lindahl stated this is correct. Contractors doing work on homes in Northport need to dispose of the debris themselves, or get a dumpster. The license for the Transfer Station is only for household debris. She did state the resident could bring the debris up, but not the contractor.

Minutes: the minutes of 7-16-2009 and 7-30-2009 were presented for review.

Under motion of Paul Rooney, second by Denise Lindahl, the Board voted 2-0 to accept the minutes of 7-16-2009 as corrected. Drexell White abstained.

Under motion of Paul Rooney, second by Drexell White, the Board voted 2-0 to accept the minutes of 7-30-2009 as corrected. Denise Lindahl abstained.

New Business:

Denise Lindahl presented a letter from Charlie Grossman expressing his thanks that the Bluff Road name has been clarified. The Road will be known as Bluff Road and Upper Bluff Road. Residents on the road have been notified of the change.

Paul Rooney asked if there was any input on the proposed Dog Ordinance. Jack Driscoll recommended in Sec 9, B-1 that the ACO not be required to wait to a Board meeting to act on summons. This was noted and Paul Rooney suggested tabling this for a later date.

Part Time Fire Chief:

Paul Rooney reported at a future meeting Fire Chief Mike Ally will address the Board in regards to a part time fire chief. State Mandates, regulations and overwhelming paperwork have made the position very time consuming. The Fire Department is discussing having the Fire Chief a part time employee, paid by the Fire Department. Discussion within in the Fire Department is to have this 2-day a week position. A job description will need to be created for the position. In researching this paid position, it was discovered the municipal officers set a fire chief's compensation. This is whether the fire department is solely incorporated or a dependent of the Town. This will be discussed in full at a later meeting.

With no further business, the Board voted to adjourn.

Under motion of Paul Rooney, second by Drexell White, the Board voted 3-0 to adjourn at 10:15pm

Respectfully submitted,

Barbara O'Leary
Town Clerk