SELEECTBOARD MEETING
APRIL 22, 2013

PRESENT: Chairman Paul Rooney; Board Member Denise Lindahl; Board Member Drexell White; Town Administrator Barbara O'Leary; Town Clerk Jeanine Tucker; Town Attorney William Kelly; Finance Director Vicki Eugley and Northport Village Representative Maureen O'Keefe.

Northport Village Corp.:
Maureen O'Keefe relayed questions raised at the NVC meeting of April 21st about special anchorage requirements. Board member Drexell White stated that he had spoken with Gordon Fuller and found that the Harbor Committee will be meeting soon and that Fuller has been communicating with Steve Kazilionis. White added that everything is on track at this point.

O'Keefe responded, on behalf of the Overseers, to the memo from the Code Officer about the Village Zoning Ordinance. O'Keefe said that the response from the Overseers was that the Village does not have a Board of Appeals, which was a result of the lawsuit agreement between the Town and Village. Chairman Rooney updated Town Attorney William Kelly on the matter explaining that Code Officer John Larson had sent a memo to the Overseers about outdated items in the Village Zoning Ordinance. Kelly stated that it is correct that village corporations do not have enforcement authority. He added that they could draft and submit an ordinance but it cannot contradict a Town ordinance. Rooney confirmed with Kelly that the Village ordinance could be more strict than the Town's. O'Keefe said that she will inform the Overseers that they should make the necessary changes and re-submit the Zoning Ordinance. White requested that O'Keefe to have the Overseers discuss or review any areas of concern with the Code Officer.

Board member Denise Lindahl asked if the erosion issues had been addressed, O'Leary stated that she had not heard from Bill Paige on the location of the second site. O'Keefe explained that it is between the Nyren property and the Williams property on Shore Road and the other site has water running down the driveway every day. O'Leary said that she had spoken with the Code Officer and was told that they have no enforcement over driveway issues. Rooney suggested writing a letter to the property owners asking them if they could address the matter.

Executive Session:
Under motion by Chairman Paul Rooney second by Board member Denise Lindahl the Board voted 3-0 to enter into Executive Session Pursuant to 1 M.R.S.A. §405(6)(E) to consult with Town Attorney William Kelly at 6:17 p.m.

Under motion by Chairman Paul Rooney second by Board member Denise Lindahl the Board voted 3-0 to exit Executive Session at 7:10 p.m.

Under motion by Chairman Paul Rooney second by Board member Drexell White the Board voted 3-0 to authorize execution of the settlement agreement as drafted with Blake Veterinary/Canine Inn with additional conditions of enforcement of monetary payment to the Town.

Board member Lindahl asked Kelly if Dr. Blake agrees to the decision would it be permissible for the Board to sign the agreement prior to the next regular meeting of the Board. Kelly stated that it would be allowable.
Chairman Rooney asked if there were any more discussion, being none the matter was closed.

Heating Fuel Bids:
An ad was placed seeking heating fuel bids for the upcoming budget year. The following bids were received:

Company	Bid Amount	Comments
Maine Energy	**$3.249/Gal**	
Maritime Energy	**$3.359/Gal**	**G.A. Minimum of 100 Gals. Or fee & $50/same day delivery**
Webber Energy	**---**	**Landed Cost+ .15¢ Daily Price. Base price floats with market**

Under motion by Board member Drexell White second by Board member Denise Lindahl the Board voted 3-0 to award the bid to Maine Energy at $3.249/gallon for the contract year of July 1, 2013 through June 30, 2014.

Board member White noted that the bid specs did not ask for a break out on any fees or delivery costs and stated that the wording should read "Bids shall include the price per gallon…" when putting the notice out next year.

Code Officer:
Code Officer John Larson had drafted a Sole Proprietor Certificate for any person operating a business in a name other than their own. Lindahl asked if this would be a Northport policy or if it was a State policy; O'Leary explained that it is a State Statute that Larson is complying with. O'Leary added that Larson wanted to see if the Board would like to attach a fee to the application stating that it is not mandated. Rooney commented that if a fee is not required then one should not be charged.

RSU Withdrawal:
Rooney had forwarded a request from Debra Riley, a member of the RSU 20 Board of Directors and the Northport Withdrawal Committee, for an independent consultant to review the figures for the withdrawal agreement. According to Rooney there are a couple of Towns that would like to see this done and would like to split the cost among all of the towns. Rooney stated that the request is for each of the six towns involved to pay $400.00 to $600.00 each. Lindahl asked Rooney when they wanted the review done; Rooney replied that they would like the numbers before the June 11th vote. Lindahl and White agreed that it might be a good idea and could provide accurate numbers.
Finance Director Vicki Eugley stated that she was not aware of any restrictions disallowing the funds to come from the contingency account.

Under motion by Board member Drexell White second by Board member Denise Lindahl the Board voted 2-0 (with Rooney abstaining as a Withdrawal Committee member) to authorize no more $600.00 from the Selectman's Contingency to go toward the independent consultant review of the withdrawal figures.

Rooney mentioned that the first public hearing to discuss the withdrawal would be held at the Belfast High School on Monday May 6th at 6 p.m. Rooney asked Lindahl and White if they wanted to include the withdrawal at the public hearing for Northport on May 13th; Lindahl stated that she would prefer to have the figures from the independent review first. White agreed and the Board set a date of May 30th ** for a public hearing for the Northport Withdrawal Committee to provide information to residents.

*** Please note that since this meeting the public hearing for the withdrawal had to be rescheduled for May 29th at 7 p.m.*

Rooney continued to explain that the residents would vote on the withdrawal and the school budget June 11th. He added that 389 or more Northport residents would need to cast a vote, if that number is not met then the withdrawal process would fail and cannot be re-visited for at least two years. He included that all six former MSAD #34 towns would have to pass the article and then a second vote would be needed to re-form as a new school district.

Administrative Ordinance:

O'Leary had consulted with Town Attorney Kristin Collins about making changes to the Administrative Ordinance. Collins had O'Leary forward her a copy of the ordinance for review and returned a copy with mark ups for O'Leary to proof. The Board discussed additional changes and corrections to the document that would bring it more in line with what they consider as streamlined practices. O'Leary stated that she would have the changes and corrections ready for review at the next regular meeting so it can be voted on at Town Meeting.

Mobile Home Park Ordinance:

The Board continued its review of the Mobile Home Park Ordinance that the Code Officer had asked them to consider. Rooney suggested the Board table it for this year and continue working on it one section at a time adding that it would be better to have a well thought out ordinance rather than ask to implement one that could require immediate revisions. Lindahl agreed and stated that the Village should be asked for input since a park could be placed almost anywhere in town.

Warrants:

Accounts payable and payroll warrants were reviewed and approved.

Minutes:

Minutes of the April 1, 2013 meeting were reviewed.

Under motion by Chairman Paul Rooney second by Board member Denise Lindahl the Board approved the minutes 3-0 as corrected.

Office Closure:

Town Clerk Jeanine Tucker had asked the Board if it would allow the Town Office to be closed on Saturday May 18th as she needed the day off and neither Administrator O'Leary nor Deputy Clerk Robin Coombs was available to cover her absence.

Under motion by Chairman Paul Rooney second by Board member Denise Lindahl the Board votes 3-0 to allow for the office closure on Saturday May 18th with the understanding that it would be posted and advertised.

Under motion by Chairman Rooney second by Board member Denise Lindahl the Board voted 3-0 to adjourn at 9:15 p.m.

Respectfully Submitted,

Jeanine Tucker
Town Clerk