

SELECTBOARD MEETING NOVEMBER 9, 2015

Present: Chairman Drexell White; Vice Chair Denise Lindahl; Board Member Mark Humphreys; Town Administrator Barbara Ashe; Town Clerk Jeanine Tucker; Finance Director Vicki Eugley; Road Commissioner Amon Morse; Northport Village Corporation Representative Paul Nyren, Northport Village Agent Bill Paige; Northport Village Utilities Committee Chair Dr. David Crofoot; Gartley & Dorsky Engineer Andrew Hedrich and Michael Hallundbaek from Waldo Community Action Partners (CAP) Agency.

Kelly Cove Water Main Agreement:

The first item the Board discussed was the agreement proposed by the Village regarding shared expenses on the water main at the Kelly Cove culvert in the event of a break or failure.

White told those present that the Board has an e-mail record of processes and steps taken with the Kelly Cove Culvert project. Dr. Crofoot, Chair to the Northport Village Corporation Utilities Committee, stated that the Utility Committee knew something was going to be done with the culvert, but last they knew it was going through the permitting process. He said the first time he had seen plans was when construction started. He added that there was no way of knowing exactly where the water main was until they started digging down. Dr. Crofoot continued by telling the Board he was told, because of permitting, the construction could not be moved away from the main.

Dr. Crofoot told the Board it was discovered that the cement footing for the culvert would sit over the water main. He voiced concerns about years of use compromising the main that could result in contamination of the water when the pipe breaks. He explained that the Utility Committee does not feel as though this is solely a Village responsibility. An estimate was given to reset 500 feet of pipe across the stream, at present day costs, and the Village had drafted an agreement for the Board to sign consenting to share said cost in the event of a break. Dr. Crofoot stated that he believes Utilities Director Dick McElhaney had discussed this with Town Administrator Ashe at the time of construction.

Gartley & Dorsky engineer Hedrich provided a timeline to date. Hedrich told the Board that he did look back through his work and stated the following:

March 10, 2014 he had received an e-mail from Ashe prompting him to contact the Village regarding water lines etc. on Shore Road for the Kelly Cove project. Hedrich said he called the Village and left a message that day.

March 11, 2014 Water main plans were received from the NVC engineer.

May 1, 2014 Hedrich e-mailed a copy of the plan to the Village which indicated where they thought the water line is placed.

August 14, 2014 Hedrich sent the project out for bid.

September 8, 2014 The Town reviewed the bids and awarded the contract.

October 8, 2014 Construction began.

October 14, 2014 The project was halted by the contractor as the water main was discovered and adjustments needed to be made to reconfigure the footings for the culvert. Hedrich met with NVC personnel on site to address their concerns.

October 15, 2014 The contractor resumed construction, including the footing adjustments that were made to ensure the culvert would not bear any load on the water main. Construction was completed prior to November.

Hedrich stated that he had reached out to the Village at least one other time between June and September requesting their comments regarding the plan he had forwarded to the Northport Village Corporation in May.

He continued by explaining the expectation of the water main being 3 feet down in that area so the plan was to dig down to 2 ½ feet. Hedrich told the Board that the pipe was discovered at that depth on the west side of the culvert. He said that the footing was modified to allow for an 18" gap around the main so that no load would bear on or around the pipe. Hedrich told the Board that permitting through the Army Corp of Engineer's did not allow the shifting of the project in any way as the limits were already set as far as possible according to Army Corp's allowances.

Lindahl expressed the importance of having a representative from the Village attend the Selectboard meeting and that this was a great example of that importance. She noted that there was a year that went by without any Village representation and this planning took place during that year. White added that there had been adequate notice and correspondence between the contracted engineer and the Village regarding the plans for the project. White continued by stating the proposed agreement was reviewed by Town's legal counsel, who advised against the Board signing the agreement. White also noted that the culvert is not sitting on the pipe and that every effort has been made to ensure there is no load bearing on the water main.

Dr. Crofoot commented that if the water line fails in that area it could be due to the culvert being set there and that the Village is only looking for help covering an unanticipated expense. He added that the Town did the project knowing there is a water main in the area and felt the clause is fairly harmless considering that there are 300 people connected to the water supply in that area.

Lindahl told Dr. Crofoot that if the main fails the matter should go before the residents for a vote and decision. She stated that the wording of the document as presented, in particular "perpetuity" and it is hard to project an expense ahead of a project. Dr. Crofoot stated that a typical water main can hold up for a hundred years and a time frame of within 50 years could be added to the document and the word perpetuity be struck from the document.

Hedrich added that there are often conflicts with utilities within rights-of-way construction and with this project the culvert is designed to distribute any load evenly over the whole structure. Hedrich also stated that water mains are also double lined pipes as a precaution and should be protected well in addition to the measures already taken with the modified footings.

Paige also spoke with his recollection of the timeline prior to the start of the project. Paige stated that he had contacted Gartley & Dorsky and had granted permission to the Village engineer to forward the water line designs to Gartley & Dorsky. Paige said that he did receive the plans for the Kelly Cove project from Hedrich and that he had forwarded them to Superintendent Dick McElhaney. McElhaney needed to determine whether or not he could oversee the project on his own, then it would have gone to the Board of Trustees for review and then on to the Board of Overseers for approval. Paige recalled the meeting at the site and

discussion about the restriction by the Army Corp of Engineer's and how there was not enough time to re-route the water line because the project needs to be closed by a certain date.

Paige continued by explaining that McElhaney was going to speak with Asheley about an agreement with the Town; Asheley stated that he had and had been told what he needed to do to present the agreement to the Board. Paige stated that there was a lapse in time before McElhaney presented the recommendation of an agreement to the Overseer's and then another lapse in time before the agreement was drafted and approved by the overseer's. Paige explained that with the lapses in time and the procedures involved it has taken this long to get the agreement presented to the Board of Selectmen.

Humphreys asked Hedrich if there were to be an issue wouldn't it have presented itself by now (being more than a year later); Hedrich stated that there can be a combination of factors that come into play when a failure occurs. He cited severe frost, compaction of water and soil changes or a change in the weight load could all cause failure ten years or more from now.

The Board unanimously agreed to not sign the agreement. Lindahl added that the minutes of the meeting will serve to codify the discussion and may be returned to in the future should an issue with the bridge and water main arise.

Waldo Community Action Partners (WCAP):

Tucker informed the Board of a petition she had received from the WCAP agency November 3, 2015 requesting an article for funding for the agency be placed on the Annual Town Meeting warrant. She stated that she had contacted the director, Michael Hallundbaek, and discussed the options and processes with him. Tucker stated that she had informed Hallundbaek that typically the agency had forwarded a letter of request for funding to the Board and the Board had always included that request as part of the Social Services amount presented at Town Meeting.

Hallundbaek, Director for the Mid-Coast Connector of WCAP, spoke to the Board regarding the petition effort. He told the Board that he would like to rescind the petition and draft a letter of request instead. He explained how the requested funds are calculated each year and why there is a decrease in the requested amount for the upcoming year. He also provided the Board with financial information from the past two years to show how State and Federal funding is received and how it has to be expended. He explained that those funds have to be spent for specific purposes and cannot be utilized for any other need. Hallundbaek said that WCAP requests funding for those areas not met by State and Federal funds. He added that if towns deny the request the agency will still offer services for their area. The Board thanked Hallundbaek for providing them with all the information and told him they would start budget planning in February.

Northport Village Corporation:

White asked Paige if he had more he wanted to discuss with the Board; Paige replied that he is keeping communication open between the Town and Village. He told the Board that he does speak with Morse and Asheley quite often about roads and utilities.

White asked Nyren if he had any concerns; Nyren replied that he did not.

Humphreys asked if there had been clarification on the credit adjustment for the Vaughn Thibodeau bill. Asheley explained that the Village would owe the Town approximately \$4,000.00

for the manhole expense; this is after Thibodeau agreed to a reduction on the charges. Paige agreed, stating that the Village had asked to be billed for manhole work, but opted to have it included with the Town bid in an effort to keep it as part of one project. Paige told Ashley that the Bookkeeper would like an invoice soon so that he can pay it before year end. Paige said that there will be a more detailed scope of work before the next road agreement is contracted in the Village.

Shaw Brook Bridge:

Hedrich presented preliminary plans for the Shaw Brook Bridge reconstruction project. He informed the Board that he had submitted permits to the Army Corp of Engineer's and that this project would be based on habitat, not water flow. He explained that the stream crossing will have to be 28 feet wide because of standards the Army Corp has. The current width of the bridge that was installed in 1946 is 14 to 15 feet.

He noted that many bridges built in the same time frame are in the same condition and unfortunately the State is not assisting with any financing to help offset the anticipated \$300,000.00 cost. Hedrich stated he needs to contact vendors that Gartley & Dorsky has used in the past for estimates on materials. He went in to detail about the intensity of the project explaining that that section of road will have to be shut down completely for the approximate two month span it will take to complete the project and that it does have to be completed during the summer. The two month span is due to working around the tide schedules. He stated that 130 to 140 feet of road will have to be pulled and replaced at the same width when the bridge is set. Hedrich added that he will need to be granted easement by at least three property owners and that he can work with the Town Attorney to come up with the proper language for those easements. Ashley asked Hedrich what impact this project will have on the Saturday Cove Improvement Project; Hedrich replied that it would not have any impact. Hedrich stated that the two projects could be done simultaneously and that it helps to have the same contractor for both. Ashley confirmed with Hedrich that the start date for both projects would not be before July 1, 2016. There was also discussion about what the impact would be to fishermen that utilize Saturday Cove.

White asked when bids should be sought. Hedrich told the Board that bids should be requested late winter or early spring, explaining that the process may be better when the planning can be done earlier. Hedrich added that he will need to update the Board on the project, most likely in January, after he has heard from the Army Corp of Engineers.

Roads & Bridges:

Culverts & Catch Basins:

Morse told the Board that Dean Brown is working on a culvert that had undermined the road near Kelly Cove and that the area should be paved by the end of the week as well as two culverts on Upper Bluff Road. He stated that he had taken care of the culvert at Gull Cottage earlier in the day.

He also reported that he will be finishing the work on Chelsea Lane.

Morse had given Ashley a list of contractors that clean catch basins to see if she could get a response from any of them since he was not hearing back from any of them. Ashley stated that she found out that one of the contractors is no longer in business, but she is still working

through the list. Morse told the Board that E.C. Berry was supposed to come back and finish up, but he had not been able to reach him.

Engstrom/Bowden Culvert:

After doing independent site visits, the Board discussed the request for a culvert at 218 Priest Road. The Board discussed the Administrative Ordinance stating that residents must place the first culvert, which the town maintains thereafter. White stated that he had discussed the situation with Deputy Code Officer Toupie Rooney as he had questions about one of the culverts possibly diverting the stream. White stated that the Department of Environmental Protection (D.E.P.) could work with the property owner to come up with a resolve.

The Board asked Morse if he saw any issues with the culvert that crossed the road above their property; Morse replied that he does not see any issues or problems with the placement of that culvert. Morse reminded the Board that the property owners had stated that they had not had any washout issues since 2009, until the recent storm. Morse stated that there were issues everywhere with the last storm due to how much rain came in such a short amount of time. The Board asked Ashey to speak with the Code Officers and get information regarding any potential D.E.P. matters.

The Board stated that it is the responsibility of the property owner, not the Town, to install the first culvert at the driveway entrance.

Miscellaneous:

Morse had told T & L Construction that the grader that has been sitting on the Bluff Road could be taken up to the old sand/salt site on Beech Hill Road so that it is no longer sitting on Bluff Road.

Brad Rollerson, of Total Property Care, is doing leaf clean up in the Village. Morse stated that he would be asking him to clean out the catch basins in the Village while he is there. Morse said if Rollerson cannot do it that he will clean them out when it rains.

Nyren, Paige and Morse discussed water runoff issues in the Village and plans of creating a paved swale next year.

Lindahl asked Ashey what Code had to say about the trench that was dug along the side of Shore Road. Ashey said that Code stated there were no violations; just that the trench is in the Town right-of-way. Morse told the Board that the Town was not notified when the trench was dug. Morse added that it will be dug up by the Town when the road work takes place in the spring. White directed Ashey to notify the property owners about the plans for road work and inform them that the trench will be dug up in the process.

Floats:

Morse told the Board that Harbor Master Lora Mills had told him that Dean Brown will be pulling the floats out of Saturday Cove on Wednesday. The Board asked Ashey to find out if Mills had discussed this with the fishermen so they have had ample time to remove their gear.

Transfer Station:

Brush Pile & Leaf Pile:

Ashey told the Board that Bill Butler had said Craig Marshal would be chipping the brush pile in 2 to 3 weeks. She added that this is week 3. She stated that she will call him again and will also ask if the leaf pile can be added to the brush as it gets chipped.

The Board discussed the concept of a compost pile; Ashley told them that the attendants are weary of the potential exposure to ticks and try to stay away from it.

Hazardous Waste:

Ashley provided the Board with information she had received about a program called "Paint Care". People with unused paint can take their leftovers to certain places such as Sherwin Williams or Aubuchon Hardware to have it disposed of. In turn the paints get blended together and reused somewhere else. White stated that informational signage needs to be posted at the Transfer Station about this program. Ashley stated that she had informed Michael Connelly, who had attended the last meeting to inquire about a hazardous waste collection, about the program.

The Board discussed the pro's and cons of a Household Hazardous Waste Day.

Tech Source Proposal:

Ashley provided the Board with additional information about the proposal from Ryan Vines offering computer support through his company "Tech Source". Humphreys noted that the proposed set up cost and recurring monthly cost for the contract would total over \$5,000.00 a year, an amount that should be awarded through the bid process.

Ashley stated that she only received two replies from the request she had sent through the Managers group. One replied that they have a contract where the IT person comes as needed and charges \$110 an hour. The second reply stated that the IT person comes once a month to do maintenance and updates for a fee of \$80 an hour.

Eugley provided the Board with budget information for the past three years that shows expenditures for computers and equipment with no charges for service calls. Lindahl asked Ashley to see if Vines would be open to an "on call" type of contract.

Finance Director:

Eugley provided the Board with Accounts Payable and Payroll Warrants for review and signatures.

The Board reviewed and signed the warrants as presented.

Digital Mapping Reserve Account:

Eugley discussed needing authority from the Board to open a special reserve account for the Digital Mapping Funds approved at Town Meeting. She stated that she was in the process of gathering information on rates and fees from the various banks, but would like to know if the Board wanted to wait for information on banking info, or if they wanted to authorize creation of the account prior to the next meeting.

Under motion by Humphreys, second by Lindahl, the Board voted 3-0 to authorize the Town Administrator Barbara Ashley or Town Clerk Jeanine Tucker to open the Town's Digital Mapping Special Reserve account at the bank with the better offer for the Town; and authorized Ashley, Tucker and Coombs to be signers on said accounts.

Exposure Control:

Ashley had forwarded to the Board, by e-mail, copies of the Exposure Control Policy she had drafted for review. Lindahl told Ashley she could contact Coastal Medical Care for additional

information on vaccines. The Board and Ashley discussed what coverages particular departments would need and proper disposal of contaminated materials.

Under motion by White, second by Lindahl, the Board voted 3-0 to adopt the Exposure Control Policy.

Minutes:

Tucker provided the Board with draft minutes of the October 26, 2015 meeting for review and approval.

Under motion by Humphreys, second by Lindahl, the Board voted 3-0 to approve the minutes as corrected.

School Committee Meeting:

Ashley told the Board that she had spoken with Superintendent Lucarelli regarding the unscheduled meeting of the School Committee to discuss and vote on an item. Ashley had also discussed the matter with Attorney Kristin Collins. She had learned that the School Committee could meet and act on items outside the regular meeting schedule.

MainePERS:

There had been a refund payment sent to RSU 20 in July from MainePERS for overpayments paid to the retirement plan by former MSAD #34; MSAD #56 and RSU #20 employees. Collins is starting a suit against RSU #20 to ensure that the percentages paid by the Districts involved in the refund will be paid to those Districts. The Board asked Ashley to find out whom Collins is advocating, and if that includes Northport.

Under motion by Humphreys, second by Lindahl, the Board voted 3-0 to adjourn at 8:48p.m.

Respectfully Submitted,

Jeanine Tucker
Town Clerk