

MINUTES
Town of St. Albans
Regular Selectmen's Meeting
Monday, September 9, 2019
6:00pm

The Board of Selectmen convened their meeting at 6:00 p.m.

Present: Hiram Weymouth, Chairman
Peter Denbow
Todd Brown, Vice Chairman
Rick Fisher, Town Manager

The Pledge of Allegiance was recited.

1. Approve and sign the minutes of the Selectmen's meeting of Monday, August 26, 2019.

Motion by Peter Denbow to approve the minutes for August 26, 2019 as written, seconded by Todd Brown. All in favor 3-0.

2. Old Business

a. Discussion and decision on the appointment of a Road Commissioner with term to expire March 2020.

There was a general discussion on the appointment of a Road Commissioner. Hiram stated that the Board will have to appoint a Road Commissioner, the appointment cannot be deferred. Todd suggested the Board hire the individual they interviewed. Hiram questioned if it would be a good idea to interview the second applicant. Peter offered the option of re-advertising the position or bringing in the second candidate for an interview. Hiram's opinion was re-advertising would not have a different result.

Motion by Peter Denbow to interview the second candidate at a special selectmen meeting. Seconded by Todd Brown. All in favor 3-0.

Hiram Weymouth asked the manager to set up the interview as soon as possible.

b. Discussion and Decision to accept a bid proposal for the sale of St. Albans Consolidated School, 129 Hartland Road, St. Albans, ME.

Motion by Peter Denbow to accept the bid of \$125,000.00 from Bowman Construction. Seconded by Hiram Weymouth. All in Favor 3-0.

A short discussion on the length of time to complete the purchase. Mr. Kevin Bowman present in the audience requested the sale be executed as soon as possible. Mr. Kevin Bowman asked if the town of St. Albans was covering the closing costs. Dennis Smith followed with a question on the status of a painting that hung in the school. Peter responded that former manager Rhonda Stark had looked into it and had contacted the school district to determine its location. Hiram recalled that there was no prior discussion on closing costs. Peter stated that closing costs can be considered. Hiram offered a 50% split on the cost. Kevin Bowman replied that he felt the town should pay that closing costs.

Motion by Peter Denbow for the town to pay for closing costs not to exceed \$2000.00. Seconded by Hiram Weymouth. All in Favor 3-0.

A short discussion followed on taxes for the property. Hiram closed the discussion with the statement that the taxes will be evaluated for next year, this year is paid in full.

c. Update on the status of the Road Paving Project by Roundy Paving.

Manager Fisher updated the Selectmen on the paving project and provided copies of the town Engineer's report. Dennis Smith asked if Ballard Road intersection would be repaired. Manager Fisher replied that he would look into it. Seth Snowman questioned whether the culvert near Bradley Russell's house would be reset, shimmed and patched before Mountain Road is paved. Manager Fisher stated he would bring the matter up with Public Works Tuesday morning.

d. Tax Collector's Settlement from Rhonda Stark to Richard Fisher as of August 30, 2019.

Motion by Peter Denbow to accept the Tax Settlement from Rhonda Stark. Seconded by Hiram Weymouth. All in Favor 3-0.

3. New Business

Discussion and Decision to set the annual town meeting for Saturday, March 7, 2020 and the Election of Officers for Friday, March 6, 2020.

Motion by Peter Denbow to set the annual town meeting for Saturday, March 7, 2020 and Election of Officers for Friday, March 6, 2020. Seconded by Hiram Weymouth, All in Favor 3-0

4. Committee Reports

None

5. Staff Items

None

6. Selectmen's Items

- a. Peter Denbow welcomed Manager Fisher to the Town of St. Albans.
- b. Hiram Weymouth asked about line painting on the newly paved roads. A short discussion followed. Manager Fisher was instructed to research the legality of line painting.
- c. Todd Brown advised the Board that the trailer on Nokomis Road has been torn down and is now a pile of debris. Hiram Weymouth asked Manager Fisher if enforcement action has been taken on the Hartland Road property. Manager Fisher stated that he was not aware of any further enforcement but would look into the situation.

7. Manager's Items

a. BLACKBERRY LANE, MAP 8, LOT 35 AND BLACKBERRY LANE, MAP 8, LOT 24 ISSUE

- o Manager Fisher explained and provided a packet identifying the problem. The improvements, electric and septic system, were shown to be located on Lot 35 but are actually located on lot 25, according to maps and the septic permit that was issued several years ago. Carroll Lane bid higher for Lot 35 expecting there would be electric and septic on the lot. He has since determined that the lot is vacant.
- o Mr. Lane and the CEO, John Wilson met with Manager Fisher earlier in the day and offered to purchase lot 25, which had not received a bid for the minimum bid price. He would also retain lot 35. Manager Fisher requested the Board consider the option.
- o Manager Fisher examined the issue on lot 24 on Blackberry Lane. The bidder, C. Schmidt has requested the deed be in the name of Happy Property Solutions of Maine, LLC. The Town Office has had correspondence with C. Schmidt in which the town office has declined their original request via email. The bidder has responded with a formal request for all information concerning the foreclosure and insists on the name change for the deed.

Todd Brown made a motion to require the individual who purchased lot 24 to be required to use the name they bid with. Seconded by Peter Denbow.

- A short discussion followed the motion, Kevin Bowman suggested a purchase agreement on the property. Manager Fisher read a section of an email from the legal advisor for Maine/Municipal Association that stated the town could accept the transfer provided the bidder show proof of majority of ownership of the LLC and to confirm that the LLC exists at the time the deed transfer.
- Manager Fisher agreed to write a letter to the owner expressing the Board's concerns and requiring that the owner bear the expense of a deed transfer to a new name.

Todd Brown withdrew his motion. Peter Denbow withdrew his second.

- The discussion continued on lots 35/25, Blackberry Lane. Todd Brown stated that the bidder had a responsibility to perform his due diligence on the location of the improvements. Manager Fisher noted that the advertisement clearly states, AS-IS Condition, No Warranty but the bidder did rely on the town's description of the property as having certain improvements on Lot 35.
- Resident Dennis Smith asked if lot 25 hadn't already been voted on to re-Advertise for re-bid.
- Hiram Weymouth noted that the bidder paid higher than the minimum for lot 35, expecting the lot to have the improvements. Todd suggested this was an Assessor problem. Manager Fisher reminded the Board that the Assessor represents the Town of St. Albans.
- Todd Brown again pointed out that the responsibility lies with the bidder, that the lot was sold AS-IS and he should have done his due diligence. Hiram confirmed Mr. Smith's comment that the lot 25 has already been voted upon to repost for sale.
- The Board took no further action on Lot 25/35 Blackberry Lane.

b. Staff concerns about ACO

- Officer's lack of follow through, failure to submit reports to the town, etc. Manager Fisher agreed, after the Board members were in consensus that the Manager should meet with the ACO to address these concerns and report back to the Board.

c. Executive Session

Manager Fisher requested an executive session to discuss personnel.

- *At 6:45 P.M. Peter Denbow, in accordance with 1.M.R.S.A. Sec.405(6)(A), Peter Denbow made a motion to recess into executive session to discuss personnel. Seconded by Hiram Weymouth. All in favor 3-0.*
- *At 7:15 P.M. the Board of Selectmen ended the executive session and re-convened the general meeting.*
- *Todd Brown made a motion to adjourn, seconded by Peter Denbow. All in favor 3-0.*

The meeting concluded at 7:20 p.m.

Respectfully Submitted,

Richard D. Fisher
Town Manager

Minutes approved and signed at the Regular Selectmen's Meeting, Monday, September 23, 2019.
