

SELECTMEN MEETING MINUTES

July 16, 2012

PRESENT: Board of Selectmen: Ted Poirier, Scott Littlefield, Gerry Taylor;
Treasurer/Selectmen Clerk Angela Cushman, CEO Jim Roberts; Road Commissioner
Mike Souliere, Town Attorney David Ordway

ABSENT:

OTHERS PRESENT: Kathleen & Ken Booker, John Gay, Teresa Steindl, Mike
Polakewich, Amos Gay, Susan Sydnor, Mark Murray, Mille Tuttle, Skip Cushman

*Selectmen Ted Poirier declared the meeting open at 17:30.
Agenda approved by Selectmen.*

EXECUTIVE SESSION:

ANNOUNCEMENTS:

APPOINTMENTS:

Ron Boone, Budget Committee Member, expires June 30th 2015.
Amos Gay, Fire Commission Member, expires June 30, 2015
Thomas McKenney, Saco River Corridor, alternate, June 30, 2015.

OLD BUSINEES:

1. Fire Commission. Per the Interlocal Agreement the Treasurer from either Lyman or Dayton can serve as the Treasurer for the Fire Department. This past fiscal year the Lyman Treasurer had appointed Carol Stewart as the Deputy Treasurer to serve as the Fire Department Treasurer. Carol Stewart has given her notice of resignation. **Scott Littlefield made a motion to use Angela Cushman, the current Dayton Treasurer, as the Fire Department Treasurer per the Interlocal Agreement effective immediately; 2nd Ted Poirier. Passed 3/0.** The Lyman Board Selectmen have also voted to use Angela Cushman as the Fire Department Treasurer.
2. Road Update. Mike Souliere, Road Commissioner, communicated that the mowing will be complete this week. Also, the ditching on Bittersweet Lane has been completed and new culverts will be installed soon. There are 3 culverts (2 driveways) and 1 other one. The paving will be completed this year. Mike also mentioned that at the end of Union Falls Rd the road is eroding and that he will obtain pricing for paving.

NEW BUSINESS:

1. **Snowplow contract.** The Selectmen met with the Town Attorney and the snowplow contractor to discuss amending and extending the snowplow contract. Ted Poirier made clarification that the current contract is still good

for another year through May 2013. David Ordway stated that the Selectmen have the authorization to negotiate an amendment to the current contract and you can negotiate an amendment that contains an extension that starts today on agreed upon terms. If you were unable to agree on terms you still have a contract through next year. The warrant article gives the Selectmen the authority to negotiate the terms of an extension. At that point it was expected that the terms of the amendment and extension would be negotiated now and not wait until next May. The warrant article that followed this authorization operated on the assumption that next year's funding was going to be based on this \$180,000 amount and that you wouldn't have had the second warrant article if the expectation was not to negotiate now. A discussion on whether the current contract would stay in place for another year and then a new contract extending for 5 years or would a new contract be effective now extend for 5 years. David indicated that this is an item that the Selectmen can negotiate. Also, discussion was held on the LOC (bond) of \$6,700 that was paid to the contractor each year above and beyond the contract price. The following terms were agreed upon by the Selectmen and the snowplow contractor: 1) the Contractor will not charge the Town the LOC this fiscal year 2012-2013, but stay in place during the 5th year, 2) an extension for 5 years will be added to the contract, 3) payments to the contractor for the extended contract will be paid once a year by April 15th so a bond will not be required 4) the salt invoices will be paid by the Town from the snowplow funding and 5) the current rate of \$4,285.71 per mile will remain for the 5th year and rate will increase to \$5,300.00 per mile for the extended term. David Ordway will draft the amendment and extension for review by the Selectmen and then the Contractor.

2. **RSU23 – Budget Vote & Withdrawal.** Angela Cushman presented packets containing information on State Statutes and the process involved in Dayton's withdrawal from RSU23. Discussion was held with residents regarding the 22 steps to withdraw from a RSU. One resident alluded to the fact that Saco is also voting on withdrawing from the RSU and suggested that Dayton committee members contact Saco to possibly share information. Another resident stated that Dayton should also contact the Town of Arundel to ensure that we explore all options. Another person wanted to be sure that the committee presents all the facts pertaining to the withdrawal including cost comparisons and are presented to the residents before the final vote for withdrawal. The residents present strongly encouraged the Town to research all possible options and then decide whether the best way to move forward is to stay in the RSU or withdraw. If Saco was allowed to withdraw and Dayton was not, then that would leave Dayton and OOB. The RSU23 School Board Facilities Committee has identified approximately \$50 million to fix schools and three-quarters of that is in OOB. The replacement of the portable building in Dayton is part of the \$50 million budget. Some other issues voiced at the meeting were the lack of control over the budget, having only one vote on the School Board and not having enough votes at the RSU23 Regional Budget Meetings. Additional discussion was held, both for and against the withdrawal option.

Once a petition is received the Town must hold a vote to see if residents want to move forward on the petition. The Town has two options for the voting: 1) set a date for voting where the polls would be open 8am-8pm or 2) hold a Special Town meeting as long as the vote is completed by secret ballot. Holding a Special Town Meeting would be a quicker method as there are less timeframe requirements for posting. Some discussion was held regarding which method would get the most residents out to vote. The Selectmen agreed to inform all residents via a postcard and emails. The vote to move forward on the petition allows the Town to develop a withdrawal agreement which would then be voted on by the residents of Dayton on whether to accept this withdrawal agreement or not.

The Selectmen decided to hold a Special Town Meeting on August 13th and a Public Hearing on July 30th. Scott Littlefield read the warrant calling for a Special Town Meeting to act on the petition presented to the Board of Selectmen calling for a vote. The warrant article reads "Do you favor filing a petition for withdrawal with the Board of Directors of Regional School Unit #23 and with the Commissioner of Education, authorizing the withdrawal committee to expend up to \$30,000 and authorizing the Municipal Officers to transfer the amount not to exceed \$30,000 from the Town of Dayton's undesignated fund for this purpose?"

3. **Postcard for upcoming events.** A postcard will be sent to all residents regarding the withdrawal from RSU23. An email will be sent regarding the upcoming vote on the RSU23 budget for 2012-2013.
4. **Culvert Replacement Projects.** There are two culvert replacements that are coming up for the Town. The first project is the Hollis Rd involving one larger culvert and the second project is the River Rd that has six culverts. An invitation to bid will be placed in the Courier and the Portland Press. Bids will be due by August 13th at 6PM.
5. **Tax Collector Reporting.** The Tax Collector provided monthly reporting to the Selectmen. The number of properties that are facing liens this year is 31. Last year there were 21 liens. The Selectmen discussed collection of outstanding personal property taxes.
6. **Tax Commitment.** The Tax Assessor wants to commit taxes on August 9th. The Selectmen will hold a brief Selectmen meeting on August 6th to discuss with the Assessor the mil rate.

PUBLIC FORUM:

1. Lisa Morse has asked about when the zoning ordinances and subdivision ordinances will be revised to align with each other. Jim Roberts, CEO, communicated that the subdivision ordinances will be updated to align with zoning ordinances.

CORRESPONDENCE:

1. Budget Committee application. Ronald Boone has submitted an application. **Scott Littlefield made a motion to appoint Ron Boone as a Budget Committee member; 2nd Gerry Taylor. Passed 3/0.**
2. Jim Roberts presented a proposal for increasing hours for the CEO position to allow time for building and grounds maintenance. The proposal indicates increasing his weekly pay by \$68.37 which is \$3,555.24 a year. The current budget has \$4,000 allocated for mowing for the new ball field and the municipal building. **Scott Littlefield made a motion to give Jim Roberts the 3 additional hours to be added to his weekly pay which is \$68.37 weekly and \$3,555.24 yearly; 2nd Gerry Taylor. Passed 3/0.**

SIGNED:

1. 07/19/12 A/P Warrant
2. 07/19/12 P/Y Warrant
3. Training request
4. Vacation request

OUTSTANDING ITEMS:

ADJOURNMENT:

Scott Littlefield made a motion to adjourn the meeting at 20:39.

*Minutes may not be verbatim they may have been paraphrased for clarity.

_____ Ted Poirier, Chair

_____ Scott Littlefield

_____ Gerry Taylor

amc