

# Town of Eddington

906 Main Road Eddington, Maine 04428

**SELECTMEN'S MEETING  
TUESDAY  
February 24th, 2015**

**MINUTES**

**CALL TO ORDER & FLAG SALUTE:** Joan Brooks called the meeting to order at 6:00 p.m.

**ROLL CALL:** All Selectmen Present

**MINUTES:** Meeting of November 18<sup>th</sup>, 2014. Motion to accept as printed, M. Shepherd / C. Grover, Jr. Vote 5-0.

**PUBLIC SAFETY REPORTS:**

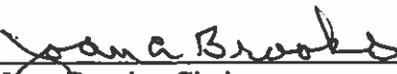
**Police:** Russell reported that Dep. Mason was recently promoted to Corporal and will be leaving in a few weeks. Dep. Mason is going to patrol in the northern part of the county, his replacement will be announced soon. The Board wished Daren good luck and congrats, thanking him for his time and service to our community. Deputy Mason spoke about his time in Eddington and how he has enjoyed the past seven years here. In his monthly report he stated that crime rates and burglaries have remained very low. He thanked everyone and said it has been an honor protecting and serving the community.

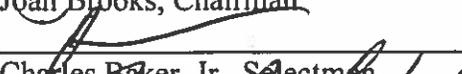
**Fire:** Chief Ellis reported the dept's call volume has dropped significantly to a specific home in Clifton, due to homeowner being at a health care facility, which will benefit the resident as well. January's rough weather resulted with a few car crashes, yet nothing major and no house fires. In the month of February there were two structure fires, one in Eddington and one in Clifton.

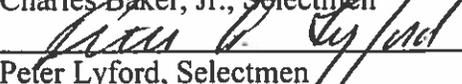
A couple new members were added to the department in January. Ellis received and reviewed the latest BLS (Bureau of Labor Standards) report with the board. Rescue truck #328 remains a challenge, in the past year there has been over \$4000.00 in repairs done. The body mounts on the frame are rusted to the point that it won't pass inspection. Basically it needs about \$12,000.00 worth of repairs in order to get it inspected. Chief Ellis recommends that the \$12,000.00 be taken out of reserves to get the truck fixed and inspected. The lead engine, #322, needs tires, which will run about \$1800.00. **A motion was made, seconded and passed to approve the funds for the tires. C. Grover, Jr. / C. Baker, Jr.**

**Vote 5-0**

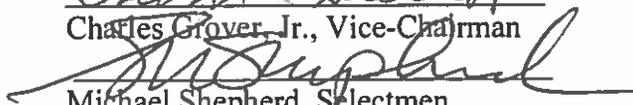
After some discussion on whether or not the board will approve the funds for repairs on #328, Chief Ellis agreed to look into possible options if they wanted to table the decision until next month's meeting. **Motion to table decisions on #328 until next meeting C. Grover Jr. / M. Shepherd**  
**Vote 5-0.**

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

**PUBLIC ACCESS:** Planning Board Member, Susan Shane, requested that no matter what decision the board comes to regarding the Addendum and Zoning Ordinance review that they set the meeting date tonight for the Special Town Meeting. You can always take info away, but it can't be added easily.

Gretchen Heldmann – Asking about spending money out of reserves & an update on the new fire truck purchase. The original RFP included a tandem axle truck with a 2500gal tank which came in at \$335,000.00. Then the board asked them to go back and solicit bids for a single axle truck with an 1800gal tank, which came back in at \$315,000.00. We have followed up with the Municipal Bond Bank to finance it all together. Articles will be in warrant for Town Meeting in June. Heldmann questioned using funds reserves as a down payment to offset the bond bank loan as opposed to a full purchase price loan. Russell explained that once numbers are all together, they may still take some from reserves. The loan will be separated out as in Road Loan, Truck Note, so the figures for each will be clarified at that time. Selectmen P. Lyford added that the Attorney /Application fee to apply to the Bond Bank was approximately \$6000.00 however, the savings in interest on the loan was significant and he was sure it was the right way to do this.

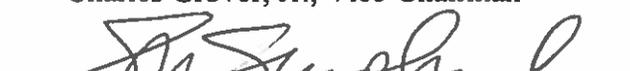
Janet Hughes spoke on behalf of Hughes Bros., giving her reasons why they respectfully ask the board to not set a Public Hearing date on the ordinance, because it is not ready. Janet reviewed the past year and how she has sat with the Planning Board. She listed several reasons why she was not supportive of the ordinance and how some areas did not make scientific sense. She stated that our proposed ordinance setbacks are 500% greater than any other municipality in the state of Maine. Janet referred to when the Planning Board collected public comment, while reviewing the application, it was not about the Hughes Brothers, or the neighbors, it was about the town and what you are allowing in this town. When the ground water setback was increased to 1500ft., it rendered the property un-useful for its intended purpose. It should be based on good hydro geologic science, not perception. The Hughes Brothers and Arisimeek feel discriminated against with their project, right up until the last meeting they have worked with the Planning Board, only to find the setbacks were changed to write them out, with no technical basis at all. Right now you have the Arisimeek quarry permitted closer than 1000ft to wells and uses a residential road. When you write out the Hughes Brothers application, you write out good collaboration. Suggestions: Move the road so it's separate from Fox Lane, make the setbacks 1000ft. from any well. Allow the folks on Fox Lane to develop a road association so they can all own it together. Stop all the legal battles, discriminations, fear, unwanted fear, work together collaboratively, with technical basis, and be reasonable. Janet asked the board to not set a public hearing, and thanked them for their time.

  
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Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

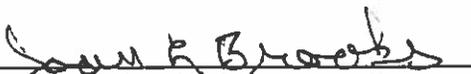
  
Michael Shepherd, Selectmen

Ralph McLeod – Representing James McLeod, on Fox Hill. As far as the moratorium vote, you had over 400 residents vote in favor of this. Everything Hughes Brothers have brought to the meetings have been self-serving, for this one project. McLeod reminded Selectmen that they are elected to look out for the good for everyone in this town. He touched upon some research done by Ray Wood, stating there would be about \$61,000 a year in taxes that would need to be raised by everyone else, due to a 4.3 million dollar decrease in property values, if a quarry went in. McLeod mentioned the fact that Hughes Brothers stress that they want to be friendly, yet in their best judgement, they blocked Fox Lane, even when they were told that emergency responders would not be able to get to homes up any other way, they still left it blocked. McLeod stated that the road is actually a deeded right of way to his son's home, and that there is a signed association agreement to have the road plowed. McLeod urged the board to set the hearing date and the special town meeting saying that residents are the real bosses in this town, not the builders.

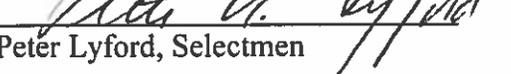
Frank Arisimeek – He feels as though most everything Mr. McLeod stated was a lie. His property tax study was based on a quarry in Ontario Canada and had no comparison. The Fox Lane road facts were wrong, there is no right of way through Frank's property or any road association. Frank said Mark Cookson called him last year and asked if Frank knew how to put one together.

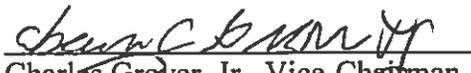
Larry Langille – A couple points he has raised at previous meetings. The washing of materials in the processing description of the ordinance. Washing is important to gravel in making specification products. He was told the reason it was not included was because it creates heavy metal deposits, which makes no sense to him, it was not supported by any study or documentation that would indicate that it was an issue. The second point was a ground water issue, which applies to going below the water table, there is a requirement that at the property line, the ground water needs to meet federal drinking water standards. Langille stated it is unenforceable due to the fact you would not line the property lines with wells to do such a test. It is designed for a public water supply, which is to be treated before it is distributed and it has to meet federal drinking water standards, not a form of protection for a quarry. As far as the setbacks, he does not understand how the board can justify such a huge setback compared to the standard range of 300ft from a private well & 1000ft from public drinking water. The 300ft & 1000ft setbacks are in the D.E.P's materials, based on research and science. The best way to handle complaints are by public education, pre-blast surveys, which are already in this ordinance. People that are against a quarry will still call and complain, you can't stop that.

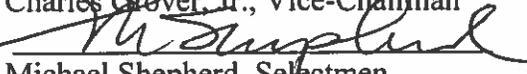
Benjamin Birch – Introduced himself as a resident who also has 32 years' experience as professional Tax Assessor. He is in support of an Impact Study & encouraged the town to put out an R.F.P. to have an Environmental Impact Study done by a qualified appraiser, to do an analysis to see what effect the quarry would have on property values. He added that it would give the board of assessor's solid documentation to defend property values when and if the appeals and court cases came about, as well as revenues generated over the 50yr tenure of the quarry project. Joan Brooks asked what would be a ballpark figure for such study. He recommended Norm Gosselin, who is an MAI Appraiser and an expert witness in court cases. He estimated a cost of \$3500-\$5000 for the size of the community.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

**ANIMAL CONTROL REPORT:** No Calls reported for the month of January.

**SCHOOL BOARD REPORT:** Rusty Gagnon – This year the state has required Teachers and Administrators to go through an evaluation. There are standards in place, RSU 63 has come up with an excellent plan, using a particular program that the state advised them on and they have gone through the training, and are in hopes to see some improvements between staff and students.

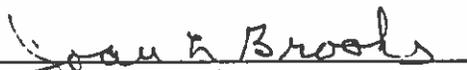
This fall will begin the reconfiguration of the two elementary schools. Eddington will have grades Pre-K-1<sup>st</sup> graders, Holden will have grades 2-4 and Holbrook will have grades 5-8. Gagnon pointed out benefits to the students will be that all of the children will be going to school together, as opposed to the transition of two schools blending into the 5<sup>th</sup> grade once they get to Jr. High. Other benefits include a savings in funding, as well as a better teacher student ratio. Rusty commented that there are usually two members from the Holden Council at almost every school board meeting, and that she misses seeing our selectmen Peter Lyford, at the meetings.

Ten applications have been received for the superintendent's position, noting that all are Maine applicants. Select committee will pick 5 or 6 of the applicants for interviews, the top three recommendations will be sent to the AOS Board for second interviews.

The District has four buses and one van that need to be replaced. The state will approve one or two buses, the only cost is \$12,000.00 to lease, and the state will reimburse the second year.

The AOS will be dissolved and take SAD 63 back to be a stand-alone district, the way it was before the consolidation. Voters will need to approve this by referendum vote at the June Election. The change would be effective July 1<sup>st</sup> of 2016.

And now some bad news to report, the state has cut \$183,000.00 from the budget year 2015-2016.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

**NEW BUSINESS:** Impact Study – Joan spoke about timing and how doing any additional study that may be useful in settling the quarry issues, there isn't quite enough time. Selectmen C. Baker said if we do it for one, we have to do it for all, like as in the I395 extension issue. Selectmen M. Shepherd agreed, saying it's a moot point at this point, due to timing.

**A motion was made, seconded and passed to table indefinitely the idea of an impact study on property valuations.**

**M. Shepherd / C. Baker, Jr.**

**Vote 5-0.**

Planning Board, Zoning Ord. & Mineral Extraction Addendum – C. Baker & J. Brooks agreed that they had not had time to review the paperwork at this time. Russell went through the timeline of necessary meeting dates with the board. (Public Hearing 03/26/15, Special Town Meeting will be on 04/02/15) There was a discussion between Selectmen to decide if they should review any further or make a decision now. Joan Brooks was not comfortable making a decision because she hasn't had time to study it. Selectmen M. Shepherd asked J. Brooks if she were to study it as hard as the Planning Board has, would it really make any difference, or would your opinion change. M. Shepherd asked if amendments can be made at the Special Town Meeting. Russell said that is a question for the town attorney. Planning Board member, Gretchen Heldmann spoke about previous comments that were made in reference to things based on science, explaining that Zoning and Land Use ordinances are not scientific reports, they are a legislative process. Yes, they have looked at reports based on science but they have also factored in what Zoning is, which is a compromise. Public drinking watershed in town and this ordinance is town wide.

Susan Shane – Changes are on items on 24pages, look for the changes in red. (Total of 64 pages in the addendum).

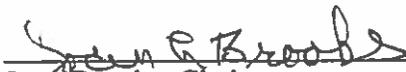
Tom Vanchieri – Planning Board Chair - Setbacks explanation, and how they came to the 1500ft. He explained that comments from the residents around it, the public and developers is what he took into consideration when setting the distance to try and make everyone happy. He further stated that the Study /Survey from California was simply a vehicle to get it talked about, because no one wanted to talk about it.

**A motion was made, seconded and passed to hold a Special Meeting for Selectmen on Friday 27<sup>th</sup>, 2015, to review zoning ordinance.**

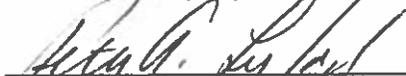
**C. Grover, Jr. / C. Baker, Jr.**

**Vote 3-2**

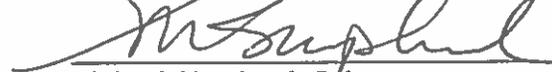
Special Town Meeting & Public Hearing Dates – Will set these dates on Friday at the Special Selectmens Meeting. As well as signing the warrant for Special Town Meeting.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

I395 Connector Route 2B2 Resolve – Copies were handed to Board members. This Resolve is not in support of the 2B2 Route. Russell explained that it was similar to a resolve signed 2yrs ago, the same that Brewer & Holden had signed supporting a “No Build” option. Michael Shepherd personally questioned the point of this and does not want to sign this due to the fact that he has spoken to equal numbers of people for, as against it. **After a discussion, a call for a vote resulted in a Motion made by P. Lyford to sign in favor of the 2B2 route, changing the words “does not support” to “we do support”, seconded by C. Baker, Jr. Vote 3-2. Motion carries. (Resolve will be re-typed to show word changes and brought back to be signed by the board.)**

Rooks Road Boat Launch – Owned by a private owner who has shut off access to the public. Chuck Baker, Jr. suggested exploring information on how to make the property a public boat launch, through an eminent domain process. Peter Lyford suggested contacting David Johnson, and purchasing a portion of his land for parking lot options, Johnson being a property owner close by. Peter Lyford said he had sent wardens down to make sure the shut off was legal and found out yes, in fact it was and that the property owner was doing everything right.

BLS Inspection – Russell reported that everything passed, 2 minor things were corrected the same day.

Planning Board Alt. Member – **A motion was made, seconded and passed to appoint Craig Knight to a regular member of the board, from his previous position as an alternate member.**

**Charles Grover, Jr. / M. Shepherd Vote 5-0.**

**UNFINISHED BUSINESS - None**

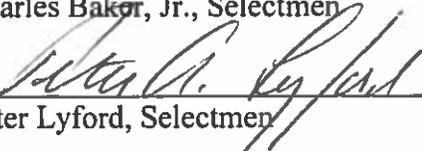
**OTHER BUSINESS – Meeting dates - Previously discussed, no action needed here.**

**WARRANTS – A motion was made, seconded and passed to sign the warrants of January & February, 2015.**

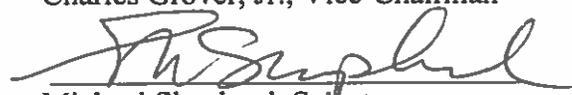
**C. Grover, Jr. / C. Baker, Jr. Vote 5-0.**

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

**PUBLIC ACCESS** – Larry Langille spoke in response to a couple Planning Board comments. RE: Public Watershed being in town, in reference to federal drinking water standards. That's why the 1000 ft. setback is there, because it's normal to the watershed. But it doesn't change the fact that quarries aren't going to make all these components that they are testing for, that DEP is going to test for the things that quarries can generate, not all the arbitrary chemicals and things like that that they are testing for in drinking water. As far as setbacks go, he would not compare Bangor to Eddington, as they have restricted setbacks for urban environments, adding that Eddington does not have urban or industrial areas. The night the 1500ft setback decision was made, the statistics were discussed in the California report, and based on his perception, were used to make that setback change from 1000ft to 1500ft, based on percentages of complaints in the report. Langille spoke about the letter that was submitted by Hughes with a report from Maine Drilling & Blasting, basically discrediting the report, and now it has turned into a compromise thing, and not really about the report.

Gretchen Heldmann - Commented on a couple items. First, the possibility of spending \$12,000 on a rescue unit under Public Safety Reports vs. being an actual Agenda item under New Business. Heldmann thanked Selectmen Shepherd for giving folks the opportunity to speak on that item. Next, Heldmann spoke about the Flip Flop of the I395 Resolve, to be in favor of the 2B2 Route. Selectmen Lyford claimed to be a Selectmen at tonight's meeting, yet all his time spent in Augusta testifying on the bill, in favor of that route. Gretchen read her testimony on LD 47, and pointed out that the Clifton meeting, they didn't actually sign anything in support, only took a vote, which was at Peter Lyford's request. (A copy of Gretchen's written testimony to be into record).

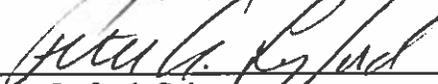
Rusty Gagnon – Not in support of the 2B2 Route option, she cannot see any benefits to the people of Eddington and can't think of any business that would come, because of the route, that would not come now, without it.. Gagnon also would like to see a public landing on Davis Pond, as there is no way to launch boats as it is now.

Janet Hughes – Compared the passion that Gretchan has for the legislative process on the I395 Routes, is the same passion Hughes Bros. has for their process, Hughes would expect the same respect by the board, basing decisions on legislative actions vs. a technical approach. Hughes Bros. would support Norm Gosselin to conduct and assessment of the Hughes Bros. property, and pay for it too, because they do not believe there would be any impact, suggesting a collaborative approach. Janet Asked the board to look at the setbacks again and consider changing it back to the 1000ft vs. 1500ft.

Craig Knight – Knight stated that he had obtained a permit from the landowner to use the land, as well as several others have, and that it wasn't a problem, and Eminent Domain is basically stealing someone else's property.

  
Joan Brooks, Chairman

  
Charles Bakot, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

Stephanie Seccareccia – Spoke on behalf of Planning Boards efforts and how this town cares for each other. She stated that everyone has an agenda, and hers is quality of life. Asked the Board of Selectmen to consider all the work done by the Planning Board to protect the people of this town.

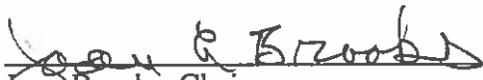
Ralph McLeod – Thanked the board for their diligent service and he will be back on Friday.

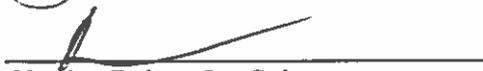
Frank Arisimeek – Is not real proud of the Planning Board, or a member of the Select Board. He feels like they just want to pass the ordinance no matter what, don't read it, just get it through, because they are tired of it and don't really care how it affects anyone else.

Susan Shane – Stated that, to her recollection, that no one that spoke from the Planning Board this evening, made any statement or conveyed by attitude, that the select board should just accept the documents submitted by the planning board, without review and just take them at their word.

Selectmen C. Baker requested an Executive Session. He was told it needed to be put on an Agenda. He requested it for the next meeting RE: Possible Disciplinary Actions.

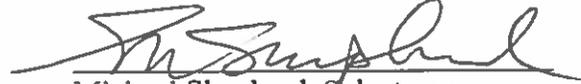
**ADJOURNMENT:** A motion was made, seconded and passed to adjourn the meeting at 8:22 p.m. C. Grover, Jr. / C. Baker, Jr. Vote 5-0.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen