

TOWN OF BROWNVILLE
PUBLIC HEARING MINUTES
Tuesday, May 23, 2023 ~ 6:00p.m.
American Legion Post #92 ~ 67 Railroad Ave. Brownville

Public Hearing – To hear public comment regarding the following:

1. **An amendment to the Town of Brownville Shoreland Zoning Ordinance. A copy of the full proposed ordinance is available at the Town Office or on the Town's website at www.brownville.org.**

The ordinance and maps were available for review and questions. The ordinance reflects the State's minimum requirements for Shoreland Zoning.

2. **A Commercial Solar Facilities Ordinance**

Where do we go from here? The moratorium that is in place is just temporary and it would put a temporary halt on any new Commercial Solar Facilities in Town. Where this is just a moratorium, a permanent ordinance would need to be enacted. There was a Facebook poll and the responses received were overwhelmingly in favor of not having any Commercial Solar facilities in Town. Guidance from MMA indicates it is unconstitutional to completely ban commercial solar. We have reached out to local legal counsel for further guidance.

BOARD OF SELECTPERSONS MEETING MINUTES
Tuesday, May 23, 2023

Immediately Following Public Hearing (6:00p.m.)

1. **Board of Selectpersons Meeting Called to Order at 6:30PM by Chairman Byron Weymouth.**

- a. Selectpersons Present: Byron Weymouth, Shelly Ekholm, Kevin Emery & Alaina Zelkan. Absent: Jim Hartin
- b. Employees Present: Felice Lyford, Alicia Harmon, Kevin Black & Shawn Mitchell
- c. Residents/Others Present: Walter Cook, Michael Rentas & Scott Thompson

2. **Motion to approve prior meeting minutes from April 25, 2023:**

Motion: Kevin Emery Second: Alaina Zelkan Vote: Unanimous

3. **Review of the Treasurer's Warrants (Payroll, Accounts Payable, Water/Sewer) – Warrants were signed by members present.**

4. **Any Action on Public Hearing for Ordinances**

Motion to hold a Special Town Meeting to vote on the Amended Shoreland Zoning Ordinance with a date to be set by the Town Clerk.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

Looking at a tentative date of July 18, 2023 starting at 6:00PM prior to the monthly Board Meeting.

5. **Liquor License Renewal – North & Souths** - This requires annual board approval. Since it is a renewal, no public hearing is required. The town has not heard any complaints regarding this establishment that would support a reason for denial.

Motion to approve and sign the On-Premise Liquor License Renewal for North & Souths.

Motion: Shelly Ekholm Second: Alaina Zelkan Vote: Unanimous

6. **Heat Pump Proposal – Reconsideration** - As discussed and voted on at the April meeting, we began to move forward with our heat pump installation project for four locations with Dave's World. Their representative indicated the 12yr warranty doubled to \$12,000 and there were some significant changes company wide and he had no control over the price increase. Kevin subsequently reached out to Valley Home Services out of Hermon for another quote. They came in a bit cheaper (\$16,400 for both fire stations, WWTP and 2 water pump stations), but they do not offer the long-term extended "coil to coil" warranty. Just the manufacturer's warranty. They submit the rebate paperwork and get approval prior to doing the project.

Motion to have Valley Home Services install the heat pumps at both fire stations, water pump stations located on Front Street and Main Road and at the WW Treatment Plant for \$16,400 to be paid out of ARPA funds.

Motion: Shelly Ekholm Second: Alaina Zelkan Vote: Unanimous

7. **Piscataquis County Hazard Mitigation Plan Adoption** – The County has updated their Hazard Mitigation Plan, which was approved at the County level and now it needs to be approved at the Municipal level.

Motion to sign and adopt the revised Piscataquis County Hazard Mitigation Plan.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

8. **Tax Acquired Property Sale by Sealed Bid** – There were nine sealed bids received for the three properties available. These bids were brought to the meeting to be opened in front of the Board and attendees. All bids met the minimum bid requirement, were all signed and received in the timeframe required. Motions are as follows:

Motion to accept the bid from Michael Rentas & Anna Hernandez for the amount of \$6,000.00 for the property located at 162 Main Road.

Motion: Shelly Ekholm Second: Alaina Zelkan Vote: Unanimous

Motion to accept the bid from Heather & Justin Murphy for the amount of \$4,500.00 for the property located at 14 Stickney Hill Road.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

Motion to accept the bid from Michael Washburn for the amount of \$13,379.99 for the property located at 44 Railroad Avenue.

Motion: Kevin Emery Second: Alaina Zelkan Vote: Unanimous

Felice also mentioned to the Board that there are four junk vehicles at 44 Railroad Avenue that will be hauled off to the Milo Fire Training Facility, these vehicles will be used for our Fire Department members to use for training. The fee to the Town is \$50.00 per vehicle and she would like to use some of the property sale proceeds to pay for this.

Motion to use \$200.00 of property sale proceeds to pay for towing of vehicles to Milo Fire Training Facility for the Fire Department to use for training.

Motion: Alaina Zelkan

Second: Kevin Emery

Vote: Unanimous

9. Department Head Updates

- a. **Administration** – Budget was updated and given to the Board for review. No questions. The Town of Millinocket purchased our Varidesk workstation risers for our asking price of \$250.00. The audit has been finalized. Wanese will be sending along copies for us. We don't believe the Board voted where to take the funds for the expenses related to the demo of the dangerous buildings/foreclosures at the last meeting. Can we get a vote to clarify that, please? I think it would make sense to take it from Town Owned Property as any revenue from a sale would end up going to that account in the end.

Motion to take the cost of demo for the Van Horne Ave property, voted on at the April Meeting, out of Town Owned Property.

Motion: Shelly Ekholm

Second: Kevin Emery

Vote: Unanimous

We will be required to have an article to accept the grant funds for the Spencer Road Culvert project as we have been awarded \$150,000, and the project requires an in-kind match of labor, materials and equipment from our Public Works Crew. Hopefully we can put this on a special town meeting with the Shoreland Zoning Ordinance and possibly the Commercial Solar Facilities Ordinance. The state has sent me a contract to sign for the grant; however, the attorney advises we need Town approval before I can sign that.

- b. **Public Works** - Work began in the cemeteries the first week in May, but it rained a lot that week. The PW Crew also began their (4) 10-hour day work week the first of May. As part of Gerrish's work for their pit that abuts the Village Cemetery, they partially filled in a large hole that PW finished filling and smoothing over to expand the cemetery. What an amazing transformation! This groundwork will add years to the sale of lots in the Village. We are planning to exchange loads of our rock, with Adam Coover, (left over from screening winter sand) for actual winter sand, so we will have less to screen this year. Christian Fox from the Nature Conservancy reached out to Kevin regarding another stream crossing upgrade on the Lake View Rd. At this point, they (along with Atlantic Salmon Federation) will be providing funds to have an engineering design completed and possibly some or all of the construction. We are in the beginning stages, but this is the exact process we took to secure funding for our Spencer Rd culvert project as well. The Manager discussed the Town's practice of plowing the elementary school without billing them for the service. Back in 2006/2007 the Town had a contractual agreement with the school to provide the snow removal services in exchange for the use of the school for town meetings and elections. Since we are no longer able to use the school for those things and we should review this practice. The fact that the school pays the Town of Milo for snow removal at their schools to the tune of \$36,000/yr and has use of their elementary school for the after-school program while receiving an additional \$5,000/yr for use of Harris Field makes it tough to justify this practice to our taxpayers. The school and Town of Milo are looking at having a Resource Officer in the schools during session. Summers, the Town would have that person available to help fill in or provide additional coverage during busy times. The school would pay for the prorated amount of the salary and benefits of the additional employee for the time the school is in session. The Town of Milo would end up paying the portion that

covers summer vacation. Brownville would be paying their portion through the school assessment and would not be receiving any coverage over the summer. The Board would like the Town Manager to bring this forward to the school to discuss the continuation of plowing and if we do continue an agreement would need to be drawn up.

- c. **Public Safety** - You may be aware the number of fires we've had in the area has increased substantially. The Fire Dept budget for wages is not looking great. Alicia and Shawn worked together to bill Lake View and the County for two of those fires and payments have been received for both invoices. Similar to snow removal services above, the Town of Brownville needs to review the conservative rates we charge for our Fire Contracts when they come up for renewal. Shawn had submitted a grant request to MMA's Ed MacDonald Safety Grant Program for turnout gear and we received a decision that they were unable to fund our request for 2023. Shawn also heard from the Gloria McKenzie Foundation that we have moved on to the next round of reviews for our grant application for a Lucas CPR Device which provides automated chest compressions on patients in cardiac arrest valued at around \$19,000. April Fire Dept Stats – 14 Fire calls, 20 EMS calls for a total of 34/mo and 149/yr. Our Maintenance/Repairs Budget lines will need to be increased next budget cycle. Shawn is hoping the Board will consider recognizing EMS Week, May 21st – 27th, with a proclamation.

Motion to recognize EMS Personnel with a Proclamation to recognize EMS Week.

Motion: Shelly Ekholm

Second: Alaina Zelkan

Vote: Unanimous

- d. **Parks & Recreation** - We continue to work on getting Spectrum internet installed at Davis Field. Looking for an additional seasonal Rec Dept worker. Rylee is still working and available, but does have schedule limitations. An extra person would be ideal and we would just keep a close eye on how the hours are split, with no additional funds requested for wages. Although we don't have a specific candidate to bring forward at this time, the Board could vote to authorize the Manager to hire a seasonal rec worker with input from the Rec Director, or we can bring a recommendation to the June meeting.

Motion to authorize the Town Manager to hire a Seasonal Rec. Dept worker with recommendation(s) from the Rec Director.

Motion: Alaina Zelkan

Second: Kevin Emery

Vote: Unanimous

Update on the availability and use of Davis Field. The front field is being used by some teams now. Maine Savings FCU employees in Milo volunteered their time, and Harris Lumber donated paint and supplies to cover the vandalism in the dugouts. The back field remains closed. Crystal had reached out to a company out of Hermon to see about getting the back field redone. That company is no longer returning Crystals messages, so it is not looking like it will get done this year as the other companies were out of southern Maine. She will plan to purchase a new piece of playground equipment. There is a new swim director at the PRYMCA this year and the swim program has been finalized. Flyers will be going out next week for this, along with the summer rec flyer. Crystal obtained several quotes on new and used Conex storage containers for Rec supplies and presented the options to the Board.

Motion to purchase a conex box for storage of Rec supplies up to \$5,000.00 from Town Owned Property Reserve.

Motion: Shelly Ekholm

Second: Kevin Emery

Vote: Unanimous

- e. **Water/Sewer** - The state will be coming to test our spreading fields for PFAS soon. They are conducting investigations across the state. The W/S Pickup truck is in rough shape. Phil had asked Mark do an estimate on what is needed for inspection and he estimates several thousand dollars due to all the rust. The truck is a 2008 GMC 3500 with 181,000 miles and is due for replacement this year on our capital plan. The Board would like to have quotes on a new water/sewer truck for their June meeting.
- f. **PSWC** – The Manager updated the Board, in their background information, on the new slate of officers for PSWC. Bob Canney is Chair, Felice Lyford is Vice-Chair, Byron Weymouth is Treasurer and Ribqah Metilly is Secretary. No discussion or questions.

10. Open Session

Land Acquisition – The attorney has completed the deed research and title for the property located next to the Village Fire Station. The closing documents are ready to go. We should be able to complete the transfer next week.

DOL/BLS Complaint Inspection – We received our final order to pay the adjusted penalty of \$70 to the State of Maine for our violation at the gasoline spill at Graves in January. The notice indicates the State was satisfied that the citation has been corrected. We have reached out to Safety Works for a voluntary inspection to detect any other possible deficiencies which should take place in the very near future.

Tax Acquired Property – Justin Finkle is asking if he could repurchase his property on 131 Spencer Rd (This is the one that is a building only with no land.) The Board previously agreed to sell it back to him as long as the payment was received prior to April 1. That deadline passed and it was explained the property is now “tax exempt” because it will be assessed to the Town for 2023, and the Board would want to recoup any taxes lost for 2023 through the repurchase amount. He agreed and would like to proceed. The estimated total repurchase is \$1,555. He would be able to pay this week if approved.

Motion to approve Justin Finkle’s request to repurchase the property at 131 Spencer Road for the amount of \$1,555 which represents all outstanding taxes, including an estimated loss of taxes for 2023 as well as an administrative fee.

Motion: Shelly Ekholm

Second: Alaina Zelkan

Vote: Unanimous

Spirit of America Award – Last year this award went to Crystal Cail. Typically, we give it to whoever the town report was dedicated to, and this year it would be the Fire/EMS Dept if the Board wishes to follow that same practice.

Motion to have the Spirit of America Award given to Brownville Fire/EMS for 2023.

Motion: Alaina Zelkan

Second: Kevin Emery

Vote: Unanimous

There was a question on what can be done with properties that have a ton of bagged trash piling up, particularly 315 Church Street. Felice is working on this and getting guidance from the State on how to proceed. There was discussion on getting the ball rolling on creating Land Use Regulations for the town.

11. Next Meeting & Agenda Items – Regular Schedule would fall on Tuesday, June 20, 2023

- CEO would like to have BOS review the application fees ordinance to update our schedule of fees (should be done annually and can be voted on by the BOS after a public hearing).
- CEO has a building permit application to consider within the wellhead protection area. He just received it today, so he needs to gather additional information to present with it before the BOS can vote on it. The owner is not in a hurry to proceed right away.

**12. Executive Session Pursuant to 1 M.R.S.A. § 405(6)(F) & 36 M.R.S.A. § 841(2)
Poverty Abatement Application**

Motion to move into Executive Session at 8:28pm Pursuant to 1 M.R.S.A. § 405(6)(F) & 36 M.R.S.A. § 841(2) Poverty Abatement Application

Motion: Shelly Ekholm

Second: Alaina Zelkan

Vote: Unanimous

Motion to come out of Executive Session at 8:50pm.

Motion: Shelly Ekholm

Second: Kevin Emery

Vote: Unanimous

Motion to deny the application for poverty abatement for 2022 real estate taxes for the undisclosed resident discussed in executive session.

Motion: Shelly Ekholm

Second: Alaina Zelkan

Vote: Unanimous

13. Adjournment - Motion to adjourn meeting at 8:55pm.

Motion: Alaina Zelkan

Second: Kevin Emery

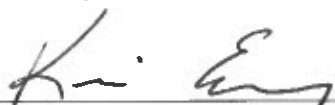
Vote: Unanimous

Respectfully submitted,

Alicia M. Harmon
Town Clerk


Byron Weymouth, Selectboard Chair


Shelly Ekholm


Kevin Emery

James Hartin


Alaina Zelkan