

**TOWN OF BROWNVILLE**  
**BOARD OF SELECTPERSONS MEETING MINUTES**  
**Tuesday, April 16, 2024 at 6:00pm**  
American Legion Post #92 ~ 67 Railroad Ave. Brownville

---

**1. Call to Order** at 6:00 p.m.

- a. Selectpersons Present: Byron Weymouth, Shelly Ekholm, James Hartin, Kevin Emery, Gary Chapman
- b. Employees Present: Felice Lyford, Jessica Wyman, Shawn Mitchell, Kevin Black, Richard Gallagher, Benjamin Gauntt
- c. Residents/Others Present: Andrea Witham

**2. Action on prior meeting minutes from March 18, 2024**

Motion to approve the minutes from 3/18/2024 as presented:

Motion: Shelly Ekholm      Second: Kevin Emery Vote: Unanimous

**3. Review of the Treasurer's Warrants (Payroll, Accounts Payable, Water/Sewer)**

Were reviewed and signed by all board member present.

**4. Spencer Road Culvert Project Bid Award**

Motion to award the Spencer Road Culvert Project to Patriot Group Paving LLC DBA Freedom Paving for the amount of \$156,000 with change orders to reduce the amount by \$5,000 for in-kind material and labor as well as a reduction of \$2,560 for retaining wall design, and allow the Town Manager to sign the contract agreement, offer & award with Freedom Paving.

Motion: Shelly Ekholm      Second: Kevin Emery Vote: Unanimous

**5. Lake View Road Bridge Project Bid Review/Award**

Bids did not get out in time; therefore, this agenda item is tabled until next meeting, May 14.

**6. Grant Awards**

We received the EMS Stabilization Grant Funds, from the State, for \$20,249.13 and would like to utilize them to upgrade our EMS level from EMT to Paramedic.

Motion to accept the EMS Stabilization Grant in the amount of \$20,249.13 and use the funds to upgrade our EMS services from EMT level to Paramedic level.

Motion: Shelly Ekholm      Second: Kevin Emery Vote: Unanimous

We will also receive \$20,000.00 from The Nature Conservancy for the Spencer Road Culvert Project as well as additional funds from the Nature Conservancy for the Lake View Road Bridge Project for the amount of \$826,860, with an in-kind match of \$5,000.

Motion to accept the grant from The Nature Conservancy (TNC) for the amount of \$20,000 for the Spencer Road Culvert Project and another grant for the amount of \$826,860 [Federal Funding from National Oceanic and Atmospheric Administration (NOAA)] for the Lake View Road Bridge Project, and allow the Town Manager to sign the corresponding award agreements with TNC.

Motion: Shelly Ekholm      Second: Kevin Emery Vote: Unanimous

**7. Tax Acquired Property Buyback-**

Mr. Gerard Fortin contacted Felice on 3/19 and stated he had not been successful in obtaining a loan to buy back his home on Whitten St. by the 3/22 deadline and asked if he could have more time. Felice again advised him that going past the 4/1 date changes the amount she would recommend the Board require from him as the property would be assessed to the Town for 2024 and therefore be exempt, causing a loss of that revenue if we did not include it in the buy back price. He understood, and asked that he be given an extension to pay everything in full to the Town by July 1, 2024. She advised him that the decision is up to the Board, but she would present his request and give a recommended \$ figure. Using a 7/1/2024 date, the past taxes due including lien charges and interest total \$3,754.77. Water/sewer for this quarter is \$332.62. Estimating 2024 taxes based on 2023 at the same rate (minus the value of a homestead exemption which he qualifies for as a "Party in Possession") \$629.37 plus a \$500 administrative fee for a total of \$5,216.76. Mr. Fortin then came in this past week and said he was approved for a loan, and he just needed an updated letter outlining what is due. Felice did provide a letter, but stated it was contingent upon Board approval at this meeting. She would still recommend using the 7/1 date in case something goes wrong with the loan.

Motion to give Mr. Gerard Fortin until 7/1/2024 to buy back his property at 3 Whitten Street for the amount of \$5,216.76 and execute a quit claim deed once payment is received in full.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

- We had a phone conference with legal to get some guidance on how to move forward with the remaining tax acquired properties and are slowly working through them. The mobile home that is currently in the mobile home park (Ryan Hircock's) that appears to be abandoned, and no calls have been returned on, we can take some action on it. We need to send notification to allow removal of personal property by certified mail and have the Board vote on how to dispose.
- Page St. had an inspection done by Northwoods Home inspections. The summary states that this building has serious structural defects. John Trojan and Melissa Brown, the owners agreed to assess the property and give an opinion on whether or not it could be salvaged with its caving foundation, and donated their services! The foundation of this structure has defects throughout. This includes major movement, collapse and heaving. The roof system has a substantial failure which has allowed a large amount of water to penetrate or be introduced into the building. The water and exposure damaged much of the structural integrity of the building. Some of the rooms were not entered to inspect due to the degree of damage and safety concerns. There is a substantial presence of molds and fungi throughout the residence. They were not tested for type of variety, however individuals entering the structure should appropriately protect themselves from the airborne and environmental dangers consistent with mold exposure. The owner of the property has not signed for certified mail, it has been sent and returned as unclaimed. Our attorney believes that the owner may need to be served civilly, that could be harder to do where she is living in Montana. Board discussed means to further secure the property.
- The Trailer on Main Rd and Page St. From the outside it looks to be stable. It was not entered, so unsure of the state of inside.

#### **8. Open Positions & Appointments**

- With the Operations Director retirement comes the need to fill some other shoes that were decided would not be part of the new Public Works Director position, such as: Project Management, Grant Writing (Planning) and Public Safety Officer. The manager spent a great deal of time working on the numbers and concluded the savings we will have in the public works department with having the PW Foreman take the PW Director role and not hiring a FT PW Operator until next month would be enough to fund additional insurance costs to support a full-

time position and add the additional roles to Shawn's position. A draft job description was included and reviewed by the Board for Planner/Project Manager (as well as Public Works Operator).

- Felice is working on an employment agreement that will encompass multiple titles/responsibilities to make a full-time position. So, if something happens and one of the titles/responsibilities under this position is either given up, or loses funding, the position will no longer be full time. This will also enable Shawn to maintain various titles/positions i.e. Fire Chief, Code etc, if he desired. This agreement will not engage Shawn as a contract employee, nor will it be date specific. It will list the job expectations, and encompass the various Job descriptions of all the duties individually.
- Gary asked Shawn how he was going to prioritize the job. His answer is if there is a life in danger, or part of the town was burning down that is always going to be first. But it would depend on what was needed the most of the time. With all of the culvert projects going this summer that would be first. So, it all depends on what was needed most at the time.
- The Board agreed that a title of Public Safety Director best fit the position.

Motion to approve the creation of a full-time position combining the roles of Fire/EMS Chief, EMA Director, Code Officer/LPI, Public Safety Officer, Planner/Project Manager and Health Officer and hire Shawn Mitchell for the position. Also, authorize the manager to negotiate an employment agreement related to the terms of employment and the process for separation or reduction of any of his duties.

Motion: Shelly Ekholm                      Second: Kevin Emery Vote: Unanimous

Motion to accept the Planner/Project Manager and Public Works Operator job descriptions as presented.

Motion: Shelly Ekholm                      Second: Kevin Emery Vote: Unanimous

Since Kevin resigned his Board position on Penquis Solid Waste Board of Directors, we need to fill the open spot. Rick Gallagher is assigned to this role as part of his Public Works Director position. Also, Alicia noticed there was not an appointment signed for Jessi to be an Election Clerk this year, so we have included that as well.

Motion to appoint Richard Gallagher to the Penquis Solid Waste Board of Directors to fill the vacancy. And appoint Jessica Wyman as election Clerk.

Motion: Shelly Ekholm                      Second: Kevin Emery Vote: Unanimous

Per the Email send prior to the snow storm related to the need for a per-diem employee, Felice hired Jeffery Witham Jr for temporary per-diem Public Works. At this time, she is recommending he remain a temporary employee vs permanent, and we can re-evaluate at a later date. No Board action needed at this time.

## **9. Maine DOT Agreement – Construction Over Limit Permit & Bond**

The State is planning to do "light capital paving preservation" on Route 11 in Milo and Brownville this year. We have received a packet of documents for the Board to consider approval to allow the construction contractors the ability to be overweight on municipal roads and require a bond (if desired) to cover any damages that may result from the project.

Motion to approve the agreement, presented by DOT, to issue a construction overlimit permit to the contractor for the light capital paving preservation project and authorize the Town Manager to work with MaineDOT on determining the amount of bond the Town should request and execute the additional documents accordingly.

Motion: Shelly Ekholm

Second: Kevin Emery Vote: Unanimous

## 10. Department Updates

**ACO-** Ben did not have an update on how many animal complaint calls he has received, but he has been dealing with repeat offenders. He did have to deal with loose cows this month, and that was new to him. But with the help of Kevin Black, he got them loaded and back to their owner in Milo. Ben has been to Center Street quite a few times. He says that if he is in the area he drives by Fisher Ave and down Center just to make sure that the dogs are not out. He told us that the resident on Fisher Ave with the dangerous dogs has moved to Davis Street.

**ADMINISTRATION** – 2024 Budget enclosed for review. No questions. Following up from our last meeting, Carol at the Brownville Elementary School is happy to put announcements up for meetings and closures for the Town Office. Felice has e-mailed her a few already and they were on the board. We had a staff meeting on 3/19 with the first hour dedicated to administrative staff and training. We completed our yearly mandated training and discussed several projects and processes we hope to proceed with. We're transitioning into having Jessi here full-time and the consistency takes a lot of stress away in other areas. Second quarter water bills just went out with the annual Consumer Confidence Reports enclosed as well as the letter regarding our rate increase and notification that we will be making appointments starting in late June to get meter readers replaced with the new ones.

Felice attended the Manager's Interchange Conference in Bangor last week and brought back a lot of good updates and guidance.

The Underpass Project has finally gone out to bid with a deadline of May 7<sup>th</sup>. We will plan to meet with the engineers to open the bids and have a recommendation at the 5/14 meeting for the award.

Steve Tatko and Jenny Ward from the Appalachian Mountain Club reached out about a grant they are applying for to help update some information and a map indicating how widely the recreational areas around us are used and how much. They were asking for the Town's support in the form of a letter to submit along with their application. Felice thinks this information will be extremely helpful on many different fronts as we look at economic development opportunities, emergency service needs, our comprehensive plan update and in support of other grants that we may apply for. Steve offered to come up and meet with the Board, but she did not believe it would be necessary, as they already support many of their efforts and this will be beneficial to us from multiple angles. The drafted letter for consideration was reviewed and approved.

Motion to sign the letter of support for AMC's grant application to the Maine Office of Tourism Community Outdoor Recreation Assistance (CORA) Recovery Grant Program to fund the completion of a Visitor-Use and Recreational Resource Assessment.

Motion: Shelly Ekholm

Second: Kevin Emery Vote: Unanimous

**PUBLIC SAFETY** – There was a total of 31 calls in March; 12 Fire and 19 EMS. Progress is being made on upgrading the license to paramedic level. A Drug Box Agreement with Mayo

Hospital was reviewed by the Board to ensure we are able to replenish the necessary medications needed.

Motion to authorize the Fire/EMS Chief to sign the Drug Box Agreement with Northern Light Mayo Hospital.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

- Shawn recently attended a training on manufactured/mobile homes. A state law that was put into place in 2010 requires any mobile home that is moved into town or to a new location within town, must be placed on a slab or foundation and be properly secured to meet the wind/hurricane standards for our region. There are also some new laws related to the housing crisis that permit mobile homes anywhere that a residential home would be permitted. This may pose some new challenges, but we are still processing all the info. There is also legislation in place that is going to require we have an ordinance in place by July 1<sup>st</sup> to address changes to the new Housing Mandate (LD2003).
- Shawn and Felice had a phone meeting last week with FEMA regarding the December storm damage and funding and have another in person meeting with them on 4/23.
- Eight automobile graveyard/ junkyard and/or improper trash storage/health violation letters are going out this week. Last week we had one noticed served on Front Street, by a sheriff's deputy for the same violations. When the CEO visited the property, the homeowners didn't come to the door, and he noticed additional concerns, including rats, on the property. We didn't want to wait on certified mail, so we chose to have it served. The other properties are on Henderson Street, Van Horne Ave, and Pleasant Street.

**PUBLIC WORKS** –We have advertised the full-time public works operator position internally with a deadline of 4/5. If no suitable candidates, we will advertise externally and plan to have a recommendation for hire at our May meeting. Rick is transitioning well into his new role and the crew has started to paint the wings of the plow trucks, prep to screen sand, working on culvert repair at Davis Field (he still has to get back up there to move the railroad ties that are by the fence when the ground dries). Still have a couple of employees on light duty restrictions.

In following our Capital Replacement Plan, the Volvo is due to be addressed this year. The department is working on for the cost to do some rehab work to it and a new body or refurbish the one that's there now. The International is also due, but can withstand continued use, so we can leave that for now. The 1 ton also is due to be replaced, and they are looking into prices of that (new/used etc). With these three vehicles needing work or to be replaced, increasing the amount we put in Highway Reserve each year was discussed as well.

**PARKS & REC** – Crystal has ordered her replacement sports equipment (from flood damage) and is working on pricing/quotes for the doors and walls that were damaged. Middle school is planning to use Davis Field for practices and games this year as long as our field cooperates. Cleanup is ongoing this week! Travel Baseball/Softball sign-ups are in full swing. They close 4/11 and she already has 2 teams full. We are not sure at this point if all of our previous summer workers are going to return; still awaiting replies from a couple of them.

**WATER/SEWER** – New truck is here. Lights and radio were installed on 3/27. Working on the decals and waiting for new plates to arrive. The Quonset hut is coming along good. The electrical has been finished except for the lights. The door is installed. Robinsons has put the brackets up for the heater and will come back once its spray foamed, which should be shortly. Water inspection went good for both systems. Sewer septage report was passed. Inspection for the

WWTP should be later on in April. We will be posting an internal opening for a part-time water/sewer operator toward the end of the month and anticipate having a recommendation for hire at the June meeting with an expected start date of 7/1. Discussed what to do with the old water/sewer work truck now that our new one can be put in service. The Public Works Department would like to keep the plow to use on our 1-ton (it's a little smaller and easier on the truck).

Motion to put the old water/sewer work truck out to bid [with no minimum bid] with sealed bids to be opened at our regular scheduled June Board Meeting and to be sold with the crane.

Motion: Shelly Ekholm      Second: Kevin Emery Vote: Unanimous

## 11. Open Session

Road Name change, during the last snow storm there was a lot of confusion between Gerrish Rd. and Gerrish Hill Rd. with dispatch. The lots on Gerrish Hill road do not have any permeant structures so there are no street numbers. While looking into the history of Gerrish Rd it was found to be named after Hiram Gerrish. So, to keep with the history, we will be working on renaming Gerrish Hill Rd to Hiram Hill Rd and send out letters to the property owners about the change. Shawn and Lorna are both E 911 addressing officers and can work on it Numbering on Front Street also needs to be updated, but this is a much larger project/issue that Shawn and Lorna are aware of. Its on the list to be done.

The Board requested Felice to send out an email to the school board members to see if they are willing to attend our next meeting, and give any updates to our board including the budget.

## 12. Next Regular Meeting & Agenda Items– Tuesday, May 14<sup>th</sup>

- a. Public Hearing for Revised Water Rate
- b. Liquor License renewal for North & Southeats
- c. Lakeview Road Culvert/Bridge Project Bid award
- d. Underpass Project Bid Opening

## 13. Adjournment - Motion to adjourn at 8:09

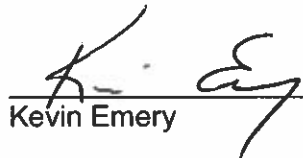
Motion: Shelly Ekholm      Second: Kevin Emery Vote: Unanimous

Respectfully submitted,

Jessica Wyman  
Deputy Clerk/Admin Asst

  
Byron Weymouth, Selectboard Chair

  
Shelly Ekholm

  
Kevin Emery

  
James Hartin

\_\_\_\_\_  
Gary Chapman