

TOWN OF BROWNVILLE
PUBLIC HEARING & BOARD OF SELECTPERSONS MEETING MINUTES
Tuesday, May 14, 2024 at 6:00pm
American Legion Post #92 ~ 67 Railroad Ave. Brownville

Selectpersons Present: Byron Weymouth, Shelly Ekholm, Jimmy Hartin & Kevin Emery (Gary Chapman absent)

Employees Present: Felice Lyford, Jessica Wyman, Kevin Black, Richard Gallagher, Philip Cook, Shawn Mitchell & Jeffery Witham

Residents/Others Present: Andrea Witham, Mary Farrar, Lance Farrar, Eric Boothroyd, Carole Boothroyd, Nick Henry, Stephen Dean, Dean Bellatty, Dennis Carver, Shane Herbest, Randy Heath, Kelli Witham, John Zelkan, Maria Landry & Francis Landry

Public Hearing called to order at 6:02p.m. by the Board Chair.

The Board Chair welcomed everyone and turned the information portion of the meeting over to Nick Henry, CPA from HMV, LLC who reviewed the purpose of the Public Hearing all of the consumer rights, process and statues for the towns people. He also reviewed the rate filing and schedule siting the proposed increase of 15%. The last increase was in 2019. Increases typically happen every three to five years. With the 15% increase the minimum charge will go up about \$4.50 a month. And for residents that generally go over on their consumption their bill could increase on average about \$7.00. Nick stated that his review of the financial data including annual revenue, expenses, debt and depreciation, justified an increase up to 40%, but the Board understand the we have a primarily elderly population and many residents that are on a fixed income, and believe that the 15% is a fair compromise. Nick opened the floor up to questions.

1. "How are the residents who live on Social Security be able to afford the increase?"

Nick went back to the discussion with the Board that they have demonstrated a greater need due to the rise in expenses and that supports a much higher rate increase, but they agreed on the lower increase, in consideration of residents who have lower incomes.

2. "How long will this increase be for? When would we see another increase? Next year or two?"

Nick explained that under the State PUC guidelines, a water utility will be able to increase their rates by a couple percent each year with minimal filing requirements (not like we are doing with this proposal that was more in depth and time consuming). He told the residents that most of the feedback he gets from consumers is that they would prefer smaller increases yearly over a larger increase every three to five years.

3. "Do you think there should be a 15% increase in our rates?"

Yes, as the review indicates, a 40% increase could be justified.

No further question on the first Public Hearing Item.

Public comments were opened regarding an application for renewal of a liquor license for North & Southeats operated by Robert & Cheryl Drake located at 75 Railroad Ave in Brownville. No comments or concerns were brought up.

Hearing none, the Public Hearing was adjourned at 6:12p.m.

1. **Board of Selectpersons Meeting Called to Order at 6:12 PM by the Board Chair.**
2. **Action on Proposed Revision to the Water Rate Schedules** – No action was needed as the Board had previously voted to approve the proposed rate schedule.
3. **Action on Liquor License Renewal Application for North & Southeats -**

Motion to approve and sign the liquor license renewal application for North & Souths for 2024.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

4. Action on prior meeting minutes from April 16, 2024

Motion to approve the minutes from 4/16/24 as presented.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

5. Review of the Treasurer's Warrants (Payroll, Accounts Payable, Water/Sewer) – Warrants were not present for review/signature. The Board will stop by the office individually.

6. Underpass Project Bid Review/Award

There were two bids received for this project: Freedom Paving came in at \$302,000 and Gordon Contracting came in at \$449,486. Dirigo Engineering prepared a written recommendation that the Manager read indicating their recommendation for Freedom Paving as they were the lowest bidder, throughout the process they asked a lot of questions and they have worked with them successfully on other projects in the past.

Motion to award the Underpass Project Bid to Patriot Paving Group LLC DBA Freedom Paving for the amount of \$302,000 and allow the Town Manager to sign the contract agreement, offer & award with them.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

7. Lake View Road Bridge Project Bid Review/Award

No bids were received for the project. We are working with the nature Conservancy on a possible extension of funding and seeing if we can put the project out to bid next year. Where this is a stream crossing project, the time frame is limited and many contractors had projects already slated and bonded for the season. The manager will update board as we learn more. No action needed as there were no bids to review/award.

8. Building Permit Application

Randy McMahon has merged his two lots on Main Rd and now has one conforming lot. He would still like to build a house on the lot and is looking for approval on his previously submitted building permit. He would now be within compliance. This particular permit requires Board approval as it falls within the Wellhead Protection area- Shawn (CEO/LPI) recommends the approval at this time.

Motion to approve the building permit application for Randy McMahon for a single-family home located on Main Road (Map 1 Lot 37), as he has combined his land and now has a conforming lot.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

9. Department Updates

ADMINISTRATION

- We received the school budget and Warrant and Notice of Elections for Board approval of the Budget Validation Referendum that will be held concurrently with the Primary Election on June 11th. Shelly attended the last School Board meeting and brought the proposed budget back with her to share with the Board. Brownville is looking at an increase of approximately \$30,000. The Board needs to vote and sign their warrant and notice of election. Shelly encouraged all residents to attend the school board budget meeting on May 20th at 6pm at the middle/high school.

Motion to sign the Warrant & Notice of Election forms for MSAD #41 Budget Validation Referendum on Tuesday, June 11, 2024.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

- An account that requires the taxes and sewer fees to be written off was brought before the Board. The property is the parking area between the old Station Market and the apartment building on Railroad Ave. The property was sold by the Town (tax acquired) to Maxwell Holding in 2021 (now in Michaels Pond's name) for \$500, but much more was owed on it at the time, and an official vote to write off the balance was not indicated in the minutes.

Motion to write off any taxes and sewer that was owed prior to a sale in January 2021 for \$500 to Maxwell Holding, for property located on Railroad Avenue M18 L25, to clear up the accounts.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

PUBLIC SAFETY

Fire/EMS

- There was a total of 27 calls in April; 16 Fire 11 EMS.
- Update on license upgrade - Almost all the equipment has arrived, finalized pharmacy agreement with NL Mayo, awaiting to finalize the transport agreement with TRAS. Some truck modifications still outstanding.
- Edward Hafford was interviewed last week for the Fire/EMS Department, and we would like to recommend him for hire/appointment. He lives in Milo, is on their department, is already trained, certified and just completed an EMR class. We should not have any associated costs with bringing him on. Any members on both Town Departments receive one set of gear so we would not have to purchase anything new for him.

Motion to approve hiring Edward Hafford to the Fire/EMS Department.

Motion: Shelly Ekholm Second: Kevin Emery Vote: Unanimous

- Bathroom at Junction Station- Have been trying to get quotes for about a year now to redo the bathroom and relocate the hot water tank/pipes. Prices vary from \$5k-almost \$7k. No one really wants the small job. Alternative plan is to have Kevin, Byron, Shawn and any other volunteers do the work on their own. Town would still buy materials, but it would take significantly longer and would necessitate us renting a porta-potti @ aprox 150.00/month while bathroom is out of service. We have funds in the budget - Town Owned Property Maintenance account to do this project. Dennis Carver asked if this job was ever placed out to bid. It was not, but he would like to have an opportunity to look at it and provide a quote. The Chief will touch base with him after the meeting.
- Kudos are in order! Crystal has completed her Advanced EMT Program. Chris Brackett, Scott Lowell, Justine Dominy and Kelsey Robinson have also completed their EMT- Basic course. Congratulations to all!! 9 Members recently completed a swift water rescue class hosted by Milo FD. 3 EMS personnel are starting a basic fire school on June 1. Calls are down 30% compared to this time last year.

Code Enforcement

- We have sent Notice of Violations to 12 properties for health &/or junkyard violations- slow progress and issued one Cease & Desist Order for additional accumulation of junk on Pleasant Street. We have also sent notices to 3 owners for unpermitted structures on their property. 13 Building permits issued to date in 2024. 10 Plumbing septic permits issued to date in 2024.
- The tax acquired mobile home that is located in the trailer park at 1146 Main Road needs to be addressed. We have been reaching out to explore options for demo. Adam Coover has the equipment to tear it down but does not have the ability to haul it at this time. Adam suggested renting a couple 32' roll off containers from whatever vendor we typically use, and he could tear it down, load the debris in the dumpsters, and the Town could pay to have it hauled and tipped. Adam provided an estimate of \$1,500.00 flat fee or he could

charge hourly, but he is unsure of how long it would take him to do it, so the price could be more or less Based on invoices with Penquis Solid Waste to have a container hauled its \$350.00. The tipping fees for a full roll off are anywhere from \$150-\$350. If we estimated high at \$1,500 to haul/tip we are looking at a total cost of about \$3,000. The owners/property management company has indicated they would try to pursue charging the Town Lot Rent, with the possibility of being charged back rent from the time the owner abandoned the property to now. The Board would like to get the trailer off the property as soon as possible to avoid accruing fees.

Dean asked why we did not waive foreclosure to avoid this process. At the time, the owner had been in contact with the Town Office and stated that he was going to be in to pay off what was due.

Lance asked if the Town had legal counsel and if we had reached out to them for guidance on this particular property. We do and we have. They advised us to remove the mobile home to avoid accruing the fees, but because it sustained so much damage due to a frozen water line, it is unstable and likely not safe to go over the road.

The management company was supposed to shut the water off in February (at the Town's request), but they did not. The Code Officer discovered water pouring out of the home when he stopped by to make sure the property was secure.

Motion to have Adam Coover tear down the trailer and get a couple of roll off containers to have the demo debris hauled off, not to exceed the amount of \$3000.00 out of the Town owned Property Reserve.

Motion: Shelly Ekholm

Second: Kevin Emery

Vote: Unanimous

Animal Control

Ads have gone seeking applications for the vacancy. Byron is filling in for ACO calls for the time being. Felice reached out to the lawyer, where Byron is chair and acting as ACO, to be sure there was no conflict as we are required to compensate him for his time. Because he is not being appointed to the position, rather temporarily filling in, and we are actively seeking a replacement, it is completely fine that he performs those duties in the absence of a permanent ACO.

PUBLIC WORKS

- Last week there was a fire in the back of the Sanitation truck while picking up on Spencer Road. There were lithium batteries that were picked up and the crew was unaware at the time. They used fire extinguishers to contain as much of the fire as they could with no permanent damage to the truck, but we do need to review that lithium batteries should NOT be put in the trash and get some education out to the public. The Public Works Crew worked really hard over a four-day stretch to get everything picked up. With regular trash pick-up as well as the cleanup, we made 4 trips to Juniper Ridge (3 more than usual). For the week we tipped 51 tons. A normal trash week is around 12 tons. Felice also forwarded a thank you e-mail she received from a resident and complimented for a great job done.
- Rick and Felice had interviews for the PW Operator opening. There are two applicants to consider, and they are working on having a recommendation for the Board at the June meeting.
- Rick has been working on the quotes to refurbish the Valvo, per our Capital Replacement Plan. He has talked to Mike from Mikes Big Rig, and Ronnie Mullens. Between the two of them, the *verbal* quote is around \$70k. Rick said that he had talked to a few dealers and the average cost of a brand-new truck of proportionate size is around \$300,000. That is not the avenue we would be seeking.

- Felice received a few calls about the Village cemetery with concerns that it was possibly vandalized. Felice walked the cemetery with Kevin last week to look at the expansion area, and they believe that it is just the old stones that are falling apart, and tipped over. They do not believe that anyone was there damaging them. There were questions if the funds in Perpetual Care would help with restoring the stones. They are all unsure so Felice is going to look into it more. The Cemetery Crews typically dig out the Veterans headstones to make sure that they are visible and not sinking into the ground. A new well house is needed in Pine Tree Cemetery as it is in disrepair and looks terrible. Rick is working on a plan with Phil to get it done within the budget.

PARKS & REC

- Crystal has handed in her resignation as Rec Director with no end date given. She is willing to work until a replacement is found and also work with them to transition, so the programs will see as little interruption as possible. We will advertise and recruit accordingly, and report back to the Board with a recommendation. Travel teams are doing well. Insurance claim on Davis Field is coming along slowly. There are so many items that needed replacement and so much work to be done, it all takes a great deal of time.

WATER/SEWER

- The W/S truck went out to bid on 5/13, with bids due at the June Board meeting. Phil is now using the new truck as the plates/registration finally came in. We are working on applications for the PT W/S Operator position that is due to start in July. Robinson's finished installing the heat at the Quonset hut Monday, so that completes that project! Foam insulation came in a little under the original quote which was a nice surprise.

PENQUIS SOLID WASTE CORP

- The PSWC Site Manager has resigned at the transfer station. Also, the new Administrator resigned in April. At this time, Brownville staff has taken the Administrator role back until a replacement is found. We will be billing the corporation hourly for all time worked for PSWC, and for mileage and supplies separately as well. Both positions have been advertised and there is a small subcommittee reviewing applications, doing interviews and making a recommendation to the full Board for hire.

10. Open Session

- Eric Boothroyd spoke, he and Carole are from Dover Foxcroft, the Maine Highlands Chapter of Woman Voters in Maine. They have been looking into how town officials in the area communicate with their residents and taxpayers. They have been attending town meetings in the area to observe the different processes. They thanked the Board and attendees for allowing them to be there tonight.
- Dean asked why Randy Heath has been shut off by the Town from collecting additional scrap metal. He stated Randy makes his living from the revenue he gets. Also questioned why the Town didn't remove the weight limit posters before now so that he could have the metal that he has collected picked up.

Kevin had spoken to Randy previously and let him know that he could obtain a permit to allow trucks to go down his road, even if they were still posted, but he never came to the office to get one. Felice and Shawn had both talked to Randy telling him that he needed to be making progress on cleaning up his yard, and that he was not allowed to add to the collection that already existed. During the week of Spring Clean- Up there were copious amounts added to his piles as he was picking up the metal people were discarding. The Board understands Randy's position and they were brainstorming the best way to possibly help him. Shelly has asked Randy to post a NO DUMPING sign outside of his house to deter any additional accumulation. Randy was asked if he knew how many mattresses he had outside, and he believes about 100. To bring a mattress

to PSW its \$20/ea. Shelly is hoping that with everyone that came to the meeting to support Randy and his efforts, they can collectively come up with some solution and possible funding to help him get everything cleaned up.

A few of the towns people questioned why the Town singled out Randy. The Board replied that the Town had sent out 12 notices for different violations, so it wasn't just Randy that received one. Another property on Church St. was brought up by Shane, and he was just asking if they have received notices as well to clean up their lot, and they have.

- Crystal has been working on ordering supplies that were damaged in the flood. While her and Alicia were ordering from Home Depot, the order got placed, and then got cancelled. After research to why, it was because they had exceeded the limit on the credit card. Felice is asking for an increase on the credit limit on the towns credit card.

Motion to raise the Towns credit card limit, through Machias Savings Bank, to \$20,000.00

Motion: Kevin Emery

Second: Shelly Ekholm

Vote: Unanimous

11. Next Regular Meeting & Agenda Items– Tuesday, June 18th with Water/Sewer Truck Bid Review/Award on the agenda

12. Adjournment at 7:53p.m.

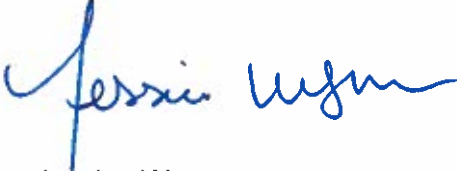
Motion to adjourn.

Motion: Shelly Ekholm

Second: Jim Hartin

Vote: Unanimous

Respectfully submitted,



Jessica Wyman

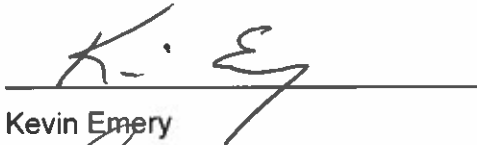
Deputy Clerk/Admin Asst



Byron Weymouth, Selectboard Chair



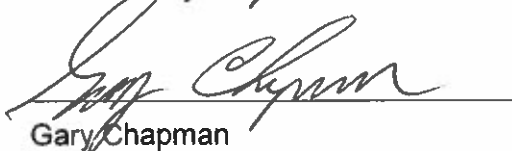
Shelly Ekholm



Kevin Emery



James Hartin



Gary Chapman