

**Town of Chelsea  
Board of Selectmen Meeting Minutes  
November 28, 2012**

**Regular Meeting:**

**Call to order:**

Chairperson Ben Smith called the meeting to order at 6:31 PM.

Selectboard members present included Linda Leotsakos, Michael Pushard, and Benjamin Smith. Scott Tilton, Town Manager was present along with about four (4) residents and members of the public.

**Consent Agenda:**

- A. Approve Payroll Warrant # 023 for \$7,386.96.
  - B. Approve Accounts Payable Warrant # 024 for \$21,397.26.
  - C. Approve Board of Selectmen Executive Session Minutes of October 29, 2012.
  - D. Approve Board of Selectmen Meeting Minutes of November 14, 2012
- A motion was made by Mike Pushard that was seconded by Linda Leotsakos to approve
  - Consent Agenda items A., B., C., and D. with addition to D. "including Public Hearing
  - Minutes of November 14, 2012." Vote was unanimous. Motion carried.

The Board of Selectmen agreed to amend the Agenda to discuss Agenda item V. Legal Issues D. Notice of Violation – James Rogers, when James Rogers arrives at tonight's meeting.

**Public Comment on Items not part of the Agenda:**

Skip Skehan thanked Scott Tilton for placing the electronic signs at the end of Windsor Rd. to draw attention to the weight limits [on Windsor Rd.]

**Scheduled items:**

**A. New Business:**

1. Proposed changes to the Chelsea Personnel Policy,
  - A. Scott Tilton recommends that the Town of Chelsea stays with 100% single subscriber health insurance that is in place now. He proposed budgeting for an 8% increase. This year's budget was for a 9% increase, and 2013 had a 7.5% increase.
  - B. Scott Tilton recommends that the language in the personnel policy be changed to reflect that a retirement matching plan is not available for Town of Chelsea employees, other than the Town Manager who has a separate contract. An amount up to \$50 per pay period is specified. If this were discontinued completely, it could save \$1300 per year per employee.
  - C. Linda Leotsakos referred to this month's (November 2012) *Maine Townsman* Legal column (page 29) article: "LAW COURT: PERSONNEL POLICY NOT A CONTRACT" that states "The Maine Supreme Court has held that a municipality's personnel policy does not create enforceable contractual rights to the employee benefits described in the policy."  
<http://www.memun.org/Public/publications/townsman/2012/Nov.pdf>

**Legal Issues:**

- D. Code Enforcement Officer, Gary Quintal, has been working with James and Renee Rogers (M16 L22). Gary Quintal is asking the Board of Selectmen to review the Town of Chelsea Administrative Consent Agreement he would bring to James and Renee Rogers for their signatures. The agreement grants them a 90 days extension to get their property in compliance with Town Ordinances and State Regulations and clearly states the procedures to be followed and fines charged. The town attorney read the document and his suggestions were incorporated. James Rogers reviewed the Town of Chelsea Administrative Consent Agreement at the meeting and stated that he was aware of and agrees to the \$132.00 fine, and feels he would be able to get his property in compliance within the 90 days extension in the agreement.
- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to approve
  - that the Town of Chelsea enter into the Town of Chelsea Administrative Consent
  - Agreement with James and Renee Rogers for the purpose of enforcing and resolving
  - certain violations of The Town of Chelsea Ordinances providing that James and Renee
  - Rogers sign this agreement on, or before the close of business on, December 5, 2012.
  - Vote was unanimous. Motion carried.

**Scheduled items: continued,****A. New Business: continued,**

2. Proposed 2013-2014 Employee and Volunteer Work Schedule and Wage Plan changes were discussed.
- Town Manager, Scott Tilton, proposed a 1.7% cost-of-living increase. The Town Manager's salary would go from \$ 68,000 annually to \$ 69,091.
  - The part-time town office staff would go from \$13.50 to \$13.73 per hour and increase the hours worked per week from 29 to 31 hours.
  - The C.E.O. would increase to 20 hours per week using a more flexible schedule, for example, one week could be 18 hours and with another being 22 hours. This position would increase from \$ 28.75 per hour to \$ 28.49 per hour.
  - Scott Tilton also proposed a decrease to the Board of Selectmen stipend from \$5000.00 to \$3000.00 each. He stated that with the revaluation completed, the Assessor's Agent would keep the assessing current and reduced the time constraints on the Board of Selectmen. This would prove difficult to decrease in this budget because they are paid after the fiscal year ends for the previous years assessing.
  - The Assessor's Agent would be scheduled for 5 hours per week at \$30.00 per hour. He currently works 15 to 20 hours per month, but the revaluation could produce an increase in abatements requested.
  - Hours worked for the ballot clerks could be decreased due to use of the electronic vote counter. However, the additional vote for the Town of Chelsea Charter could cause the hours to remain close to the 240 hours that was needed this year. Salaries were decreased by \$1.00 per hour per clerk however lunch and supper was available for the clerks this past election and will continue to be available.
  - The Fire Department Chief would receive the \$3,500.00 stipend and \$10,000.00 would be split among the fire department volunteers as in the past. The insurance premium will remain at \$4,478.00 for two more years.

**A. New Business: continued,**

- Scott Tilton proposed two new positions for road / maintenance work. One position for 10 hours per week at \$21.48 per hour and the other for 5 hours per week at \$10.30 per hour for a total cost of \$31,838. Workers compensation and unemployment costs are not included in the total.

The Board of Selectmen thanked Scott for his hard work. They will consider the proposed amounts and continue this dialogue for the developing budget.

**B. Old Business:**

1. There was an Assessor's Meeting on November 26, 2012. More information is needed on Beaulieu property before a decision can be made. The owner indicated that she would be returning to Maine in December. An assessing workshop for discussion about the Assessor's Agent, and other 'housekeeping' issues was scheduled for December 3, 2012 at 6:00 PM at the Town Office.
2. Town Goals
  1. Create and Implement a Road Surface Management Plan by November 15, 2013.
  2. Create a Capital Improvements Plan by June 30, 2013.
  3. To research and write at least three successful grant applications each calendar year to assist Chelsea by lessening the tax burden, funding capital equipment replacement, eliminating blight conditions, and improving town buildings' energy efficiency.

Assessor's [Agent] Goal

1. Maintain at 96% or higher the town wide property values and taxpayer equity.

Town Manager Goal

1. Implement a Purchase Order System in accordance with the Procurement Ordinance for use in Chelsea by July 1, 2013.

Possible Future Goals

2. Improve Solid Waste and Recycling efforts in Chelsea.

- A motion was made by Linda Leotsakos that was seconded by Mike Pushard to approve
- the Town Goals numbered 1., 2., 3., including the Solid Waste goal [ Possible Future
- Goals #2.], the Assessor's [Agent] Goal #1., and the Town Manager Goal #1. as Goals
- for 2013. Vote was unanimous. Motion carried.

## **Legal Issues:**

- A. C.M.P. Pole Location permit, #301033319 application – Hankerson Rd. (CMP Stanton Rd.) The pole is located in the Town of Chelsea's right-of-way and needs approval prior to work.
  - A motion was made by Mike Pushard that was seconded by Linda Leotsakos to grant
  - C.M.P. ( and Northern New England Telephone Operations LLC) approval for the pole
  - location permit, notification #301033319. Vote was unanimous. Motion carried.
- B. The cost for Bucklin Appraisal, LLC to determine damages created from road discontinuances will be \$3,000.00 including expenses. The roads to be considered are Goodwill Dr., Allen Avenue, Spruce Lane, and Old Thomaston Rd. It was discussed that this is not the best time of the year to be considering road discontinuances.
  - A motion was made by Linda Leotsakos that was seconded by Mike Pushard to table the
  - road discontinuance issue until the Board of Selectmen decides to revisit this topic. Vote
  - was unanimous. Motion carried.
- C. Linda Leotsakos referred to October 2012 *Maine Townsman* Legal column (page 33) article: "CHARTER REQUIRED FOR ALL-REFERENDUM VOTING" that states, "The Maine Supreme Court held recently that a requirement for all-referendum voting in municipal elections is legally binding only if imposed by municipal *charter*."  
<http://www.memun.org/Public/publications/townsman/2012/Oct.pdf>  
She questioned whether the Board of Selectmen has the legal right to appoint until the charter is approved. Ben Smith will research this and ask M.M.A. and report to the Board.

## **Written Communication:**

- A. The Expense Summary Report Y.T.D. (printed 11/7/2012) Scott Tilton, Town Manager has been working on moving money into accounts that produce better interest rates and having the money assessable when necessary. The Chelsea Cares account is in an account that earns no interest.

## **Verbal Communication:**

- A. Town Manager Report.

At the December 12, 2012 Board of Selectmen Meeting, a V.O.A. (Volunteers of America) representative will be available to answer questions about housing Projects for Veterans on the Togus Campus.

Scott Tilton has looked into setting up a Neighborhood Watch Group in the Ferry Rd. area of Chelsea due to the increased activity at Butternut Park that is a concern to the neighbors. He will bring more information to the B.O.S.

A. Town Manager Report: continued

Scott has received approval from Fairpoint to place flags on the poles in town (probably those in front of the Town Office and Chelsea Elementary School). There will be approximately 12 -15 poles. He is considering ideas to get Chelsea residents interested and donate the cost of the flags and placement of the flags.

Scott has reduced the number of the Board of Selectmen Meeting packet copies because of the lack of interest and decreased number of residents attending the meetings. They are scanned and available after the meeting electronically or in the Town Office.

He expects that the heating program requests will increase and will report the information to the B.O. S.

He received a phone call from Shawn Ramage that the backup tank truck would not start today and was unavailable to respond to a call from Augusta. This truck took replaced the old tank truck that needed too many costly repairs.

B. There is a Special Board Meeting December 12, 2012 at Wiscasset Middle School to discuss a potential new Superintendent for RSU#12. The next regular RSU#12 Board Meeting is December 13, 2012 at Windsor School at 6:30 PM.

C. Board of Selectmen/Assessors Comments and Concerns. Mike Pushard will be traveling to New York during the week to help with cleanup efforts, but will do his best to be available for Assessor's Meetings and regular Board meetings.

**Executive Session. None.**

**Next Board of Selectmen Meeting is December 12, 2012 at 6:30 PM at Chelsea Elementary School.**

**Adjournment:**

➤ A motion was made by Linda Leotsakos that was seconded by Mike Pushard to adjourn.

Ben Smith declared the meeting adjourned at 8:43 PM.

**Approved by the Chelsea Board of Selectmen on December 12, 2012.**

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Benjamin Smith – Chair

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Michael Pushard

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Linda Leotsakos