

## SELECTMEN MINUTES OF MARCH 21, 2019

(approved 4/11/2019)

- **Meeting** opened by Gerry Redlevske at 7:04 pm. Present were Selectmen Gary Mosher, Gerry Redlevske, Vern Worthen (at 7:18 after he finished working on pellet system roof), Treasurer Yolanda Violette, Secretary Fran Varney, Fred LaPlante, Bjarki Gunnarsson, Ronald Gagnon, Donnie and Julia Howard, Ray Charles, Tammy Lamphere.
- **SAD 54 minutes** received.
- **Meetings next month** will be regular dates April 11 and 25, and Budget Committee organizational meeting is scheduled for April 25.
- **On April 1<sup>st</sup>**, notification to assessors' day, Gerry will be at town office from 10 am to noon.
- **Roads**
  - 1 - West Sandy River Road has been graded.
  - 2 - Requests were received for work from Elm Street (far end), Rome Road and Decker Road.
  - 3 - Post Office has complained about delivering mail to residents of Rome Road, and West Sandy River Road.
- **Transfer station**
  - 1 - Seasonal hours begin May 1 from 4 to 6 pm
  - 2 - The recent (and second) delivery of town trash bags contained bags just like the ones sent to the Town back in February. Yolanda inspected them, and did not accept delivery of them. Vern will contact the company.
  - 3 - Yolanda has called another company (located in PA) to inquire about purchasing bags, and they will send two samples for Mercer to look at.
  - 4 - Discussion of single sort recycling and electronic waste.
- **Assessing** - Vern signed Chris Holt's tree growth renewal
- **Annual Town Meeting Minutes** were submitted.
- **Additional citizen requests and discussions:**
  - 1 - Decker Road discontinued portion** - Ronald Gagnon asked when the Selectmen will answer his question as to whether they will plow the additional road between his place and the new camp on his property. Ron mentioned that plowing the extra 300 feet to the camp make it easier for the Town to turn the plow around. Attorney Frederick Fredette is now investigating Ron's request, and if the Gagnons sue, they will be asking for maintenance, not just plowing. Ron maintains that it is the Town's responsibility because the Town plowed in the past.

The Selectmen have pointed out that the winter plowing is done by an independent contractor, who is paid by the mile, not by the hour. On his own time, any of the three recent winter road contractors could plow an individual's private road, whether for free out of generosity, or for a fee.

Donnie and Vern indicated that whether the turnaround is easier or not depends on the size and type of equipment. Selectmen will review the issue and let him know.

**2 – Other discontinued roads** - In the past, Bean Road was another discontinued road that residents wanted to be accepted as a town way.

**3 - West Sandy River Road** - Grading, ditching and culvert issue will be discussed before the project begins.

**4 – Winter Roads Contract** - Ray Charles stated that Vern is doing a much better job plowing now. Ray still is concerned that Vern has the equipment which the contract requires. The Selectmen accepted the equipment that Vern has.

**5 – Fred LaPlante** shared the road reports he worked on years ago with the current Selectmen, including the culvert inventory, the roads inventory, road conditions overview and road survey, estimates for recommended road projects, and State of Maine road valuation information.

**6 – Donnie Howard** has recommendations for fabric projects.

**7 – Gary Mosher** noted that the recently rebuilt stretch of road of old Main Street (LRAP project) was done well from gravel to ditching to tar.

**Other comments** – Other residents have called in about issues on West Sandy River Road, Elm Street on the hill near Crowley’s and also near Frederick Road, and about two places on Bacon Road. This week Vern has assessed the roads (except Decker, Pond and Corson).

**Questions about posted roads:** Is Rte 137 posted? Is there a limit on posting?

**Violation and Appeal** – Fran shared the minutes and other paperwork from the March 12 Board of Appeals variance hearing. The Selectmen reviewed the proposed Consent Agreement and authorized Brenton LaMarre, Code Enforcement Officer for Mercer, to sign the Consent Agreement. 3-0

**Touch grading -** Selectmen agreed to have Donnie Howard touch grade roads as appropriate.

**Warrant Preview** approved 3-0

**Selectmen discussed Decker Road** issue, including the following points:

- (1) The Town discontinued the Decker Road beginning at the “Ed Decker place” at the 1961 annual town meeting.
- (2) The town voters at the March 3, 2007 annual meeting voted “not to accept 380 additional feet at the end of Decker Road as town road.”
- (3) At the March 24, 2011 Selectmen’s meeting, Normand and Marion Gagnon, who lived on the discontinued portion of Decker Road, asked if the Town would “plow the approximately 380 feet of discontinued road leading to their home. The Selectmen replied that they cannot by law approve town plowing of a private way at taxpayers’ expense. The Gagnons pointed out that all they want is plowing, not maintenance, of the road.”
- (4) In February 2019, the Town asked Maine Municipal Association if there is a specific meaning for the word “place” when discontinuing a town road beginning at the Ed Decker or at any “place”. MMA did not have any definition for the word “place.”

(5) In the past, the Selectmen have mentioned to the Gagnons that in addition to the Town's discontinuance of a portion of the Decker Road in 1961, the road was also abandoned because of no town maintenance under common law.

- **Minutes** of March 7 were approved 2-0.
- **Warrant** signed 3-0.

Adjourned 8:47

Respectfully submitted,

Secretary Fran Varney