

Minutes of Selectmen's Meeting of December 5, 2019

Approved December 19, 2019

Amended December 30, 2019

Meeting opened at 7:02. Present: Selectmen Vern Worthen, Gary Mosher and Jerry Redlevske, Tax Collector-Treasurer Yolanda Violette, Secretaries Fran Varney and Tammy Violette, Daren Turner – Town Forester.

Residents Fred LaPlante, Dari Hurley, Donnie Howard, Julia Howard, Myke Bartholf, Sue Bartholf, Bjarki Gunnarsson, Ricky Parlin, Tina Gardner, Duncan Redlevske, Cindy Worthen, Sarah Bunker-Geyer, Walter O'Brien, Ronald Lapointe and Brenton LaMarre (8:35 pm)

Guest Nathan Laflin of Laflin & Wolfington Realty, Charlie Beader of 7 Lakes Alliance

2018-2019 TOWN FOREST REVIEW AND 2019-2020 EXTENSION: Daren Turner, Town Forester, presented an in depth summary of the 2018-19 contract with Jerry Redlevske. Daren discussed the marking of trees, the scattered pulp to be picked up first then the requirement to harvest along Indian Stream as soon as the operations begin and work from back to front, the weather impact on date of beginning the harvest and the need for a bigger yard area.

Jerry Redlevske described his 2019-20 work plan which includes his son Duncan Redlevske and two employees. He described the equipment being used: 2 cable skidders, a harvester and a slasher. He also provided to the Town his worker's comp paperwork, the certificate of insurance, and forms W-4 and I-9, as required. When Jerry issues pay checks to the two employees, he will furnish pay stubs to the Town as well.

Additional details of the Contract are available at the Town Office for review.

In response to residents' inquiries, Daren discussed bid options of biomass operations; the wisdom of the underlying Town Forest Management Plan's timetable for harvesting; the best management practices for maintaining a quality town forest for future generations.

Vern and Gary signed 3 copies of the Timber Sale Agreement as selectmen and Jerry signed as the logging contractor.

Duncan requests the placement of equipment on the premises prior to beginning harvest date as they need to move it from their prior job.

DECKER ROAD REQUEST: Correspondence (available at the town office) from Attorney John Cunningham and realtor Nathan Laflin was received by the Selectmen re: the request for a Determination of Public Easement of all or a portion of the discontinued Decker Road.

Nate Laflin emphasized that no maintenance by the Town is being requested. Walter O'Brien mentioned that people on the discontinued road could benefit from a determination of public easement, and the town could benefit from taxes on additional development on the road with a public easement.

Selectman Gary Mosher described advice he received from Maine Municipal Association attorney that no public easement was retained in 1961, when part of the Decker road was discontinued, and that abutters thus own to the center of the discontinued road.

Selectman Vern Worthen mentioned law suits he knows of involving disputes between abutters on discontinued roads and owners of “landlocked” parcels of land.

Fran Varney indicated that a determination of public easement can become complicated and involves more than the rights of only a few abutters.

Vern made the motion to not sign the easement. Selectmen Voted 3-0 to Not sign the Determination of Public Easement.

CHARLIE BAEDER 7 LAKES ALLIANCE GRANTS:

- Bog Brook (Boat Landing) project received a grant. The Towns of Smithfield and Mercer will need to come up with \$20,000 each as matching funds.
- Mercer also received the culvert grant on Pond and Bacon Roads. Mercer needs to come up with \$40,000. The Town’s matching funds can be spread out over 2 budget years.
- Smithfield is applying for a grant thru KVCOG for \$90,000 for the Bog Brook (Boat Landing)

Tina Gardner said the town needs to do work on those roads whether there is a grant or not, and receiving grant money would be a plus.

Dari Hurley pointed out that grants to improve North Pond help protect pond property values and the tax base and it would be money well spent.

WINTER ROADS CONTRACT WITH VERN WORTHEN

Cindy Worthen expressed Thanks to all the residents at the previous meeting for the all the stress on their family from the strong criticism toward Vern. She pointed out that Vern did not break any laws, that he loves Mercer, has put the last 20 years into this town and has Mercer’s best interests at heart.

Residents said the criticism was not personal toward Vern or Jerry, it’s about policies. That Selectmen should at all times avoid the appearance of a conflict of interest even when there is no actual conflict of interest. Also, that bills submitted should have been itemized, but were not; and performance bonds should be required in the future. One resident stated we’re sorry for your family! It’s about right and wrong, it’s black and white and he crossed the line when he signed as selectmen then signed as the contractor.

BIDS FOR PLOWING CONTRACT AT THE TOWN COMMUNITY CENTER PROPERTY AND TRANSFER STATION

One bid was submitted from Brenton LaMarre \$160 per storm at MCC and \$140 per storm at Transfer Station, and \$60 for sanding at each location.

Specifications were discussed with Brenton. In addition, insurance requirements were discussed. The parking lot at MCC gets very icy, and sanding is very important at town office building before all open office hours and before other scheduled events, also shoveling so that all entrances are accessible, including all back doors. Yolanda will notify contractor of times and dates of scheduled events at MCC.

Residents expressed that bid notices should be improved. One resident suggested that a big sign be posted when bids are being requested to alert people who do not go to the local store and who do not have email. Bid process and town contracts should be reviewed and improved.

Tammy stated we need to thank Gary M, Bruce H, Dari H, Jerry R, Brenton L and Yolanda V for doing the plowing and shoveling up until the bid was awarded. In response to an inquiry, it was also noted that different equipment is required for this contract than for the plowing of town roads that is why the Winter Road Contractor does not plow these two places.

Selectmen motioned to accept Bid then voted 3-0 to award contract to Brenton LaMarre conditioned on him providing town with necessary proof of vehicle insurance and contractor's liability coverage.

OIL TANK PROJECT

Precision Tank of Jay reported that the oil tank is old and severely corroded. Advised that the oil tank should be removed as soon as possible and replaced with two 330 gallon tanks, and tank bottoms should be coated.

Precision Tank estimate \$4830. Is it possible to get more estimates?

Dari suggested that the Selectmen check with DEP to see if state will help in this type situation since a main goal of DEP is spill prevention. Selectmen thanked Dari for the idea. Vern will call DEP.

RELINING CHIMNEY PROJECT AND BRICK PILLAR

Gary received an estimate from Bruce Michonski in the amount of \$2550.

It was voted to get more estimates then make a decision.

CODE VIOLATIONS

Vern will contact 2 Johns Plumbing to see if they will pay the bill of \$1900 for the code violations that have been fixed by ABT Plumbing.

EXTERIOR LIGHTING GRANT APPLICATION

- In order to receive Maine Efficiency \$1700 grant, Mercer must spend \$5122 and finish the new lighting by January 31, 2020. This is possible under two articles – the contingency article and the Mercer Community Building Reserve Fund.
- The one estimate was received from Quality Electric.
- It was suggested to seek other estimates from the approved contractors, also to see if a contractor not on Efficiency Maine's approved list might do the work for less than \$5122.
- Yolanda will contact the grant people to see if modifications can be done at this point.
- Selectmen voted to revisit at next meeting.

ARTICLES FOR 2020 TOWN MEETING:

Fred LaPlante submitted four articles to be considered for 2020 town meeting.

CHARITY ARTICLE:

\$280 is left in this account. Review of requests. Selectmen voted 3-0 to approve \$140 to Hospice Volunteers of Somerset County and \$140 to Hospice Volunteers of Waterville.

Selectmen will deliver turkey pies on December 15 at 3 pm.

MERCER TOWN INSURANCE POLICIES

The town insurance policies will cost about \$820 more in 2020. Selectmen signed the policy contract renewals 3-0.

WARRANT – Preview approved 3-0.

Warrant signed 3-0

November 21 MINUTES Approved 3-0.

NEXT MEETINGS: December 19 and 30; January 9 - Warrant articles due from citizens for March 7 annual town meeting; January 16 – Budget Committee meets with Selectmen to review money articles on the town meeting warrant.

Adjourned 9:30 pm