

## Selectmen's Meeting July 20, 2005

Vinal Pendexter, Peggi Aspinall and John Palmer were present for the meeting. Ron Silvia came before the Selectmen and did a presentation to explain the Town's legal rights regarding the Time Warner notification. He presented three options for the Town to consider regarding Adelphia going through bankruptcy and the impact on their agreement with the Town: 1. Do nothing – approve the sale 2. Submit a letter to Gary Metz stating that the Town will approve the sale provided the following conditions are met or 3. Join a coalition of towns to fight for prior franchise agreement issues thru legal representation. The Selectmen agreed to put some time into reviewing the information. A motion was made to wait for any new input from Ron Silvia before making a final determination on the Time Warner sale. Seconded and approved by all.

Diann Perkins attended a CAB meeting regarding the Currier and Ives Exhibit coming to Cornish and was asked to be a representative of CAB to come before the Selectmen to request use of Pike Hall for the Exhibit. She suggested renting a portable ramp to address the issues of ADA requirements pertaining to use of the hall. Nan Gurley will investigate the cost of renting the portable ramp and relay the information to the Selectmen. Vinal explained the Human Rights Commission has formally charged the Town. Vinal has been in contact with the Town's attorney to answer the charges but we won't know until the hearing what the Town will be able to do regarding use of Pike Hall. Vinal agreed to contact the Lawyer regarding the additional use of the Pike Hall beyond what has already been booked.

Diann Perkins briefly discussed a second issue regarding the creation of an ordinance governing pumping or extraction of water within the municipality of Cornish. Diann asked the Selectmen to review the ordinance created by the Town of Denmark Selectmen to address the matter. She distributed the ordinance to Cornish's Selectmen, Planning Board, and Water District members. The Selectmen were in agreement that Diane should pursue the matter with the Cornish Water District.

John Cleveland reported on the Fire Station. A review of outstanding invoices to be paid equaled \$19,280.75. The remaining balance in the checking account is \$28,052 and when outstanding invoices are subtracted it leaves a balance of \$8,771.00. Diane informed the Selectmen of one additional outstanding bill for Gary Wadsworth which Scott Pingree said he'd discuss with Gary Wadsworth. Vinal asked if the balances took into account the contractors' retainage and John told him they had been paid out. The remaining items to be addressed: 1. Problem with the exhaust fans, 2. Overhead Door vs. Wadsworth Electric and, 3. the generator has been installed but needs to be fired. Vinal asked John Cleveland to resolve the outstanding items. Mr. Cleveland agreed to do.

Mr. Cleveland suggested the Selectmen consider formulating a plan of action for the unused balances from the CBDG funds. He offered to provide assistance in developing a plan when the Selectmen are ready to address it. Peggi asked for clarification on what the money could be used for. Development of the lots in the Industrial Park to make them more marketable could be one use. If the Town did invest money in the privately owned lots the Town would want an arrangement that recognizes the Town's investment in the upgrade of the lots. Additionally, Heli Modified has had some discussion about expansion of the building so the Town would probably

## Selectmen's Meeting July 20, 2005

want to look into where Heli Modified stands on the expansion. Both options are viable and go in the direction of further development of the Industrial Park.

Mark Call discussed issues that have arisen from Call Enterprise's building application approval process before the Planning Board. Mark chose to speak in generalities rather than get too specific. He suggested the Selectmen meet with the Planning Board to review the process which have taken place regarding the Call's Dunkin Donut/Subway project. Mark feels the Planning Board meetings have been getting out of control. Additionally he recommended the Planning Board participate in classes to educate the Board on the procedural processes and gain an understanding of ex parte communications and ex parte investigative work at the Registry of Deeds. He also voiced his concerns over the cost overruns he incurred due to the process, although perfectly legal by the Planning Board, which ran into \$27,000. One possible improvement to the Planning Board would be to have a volunteer secretary to help with information gathering and taking down the minutes of the meetings. Mark Call also suggested that the tapes of the Planning Board meetings not leave the Town Offices. Mark offered to help out with anything that he might be able to do on his end to help improve the process for others coming before the Planning Board with similar projects.

Mr. Scott Howland was given the floor for a brief discussion of his concerns regarding the Planning Board not following Town Ordinances and Rules. He is frustrated that certain Planning Board members keep going back to an already resolved agreement regarding his property, which is not relevant to his application before the Planning Board. Mr. Howland suggested the Planning Board Members meet with the Selectmen who were involved in the prior agreement to discuss their grievances but no one from the Planning Board was present at the Selectmen's meeting. The Selectmen stated that their only reason for signing the consent agreement was to clear up the titles for K. Roney and D. Pelletier the property owners. Regarding the complaint of an abutting property owner not being notified regarding the change of property use. Mr. Howland stated that he has met with the abutters as far back as 16 months ago to discuss his intentions and has signed certified letters that had been sent out as required for the application process. He agreed to attend the Planning Board Workshop scheduled for July 25, 2005 to see "how things go" prior to requesting any additional time before the Selectmen or deciding if he will pursue any legal action.

The Selectmen reviewed the warrants for payroll and accounts payable and read the minutes from the prior meeting.

Vinal informed the Selectmen that he met with the lawyer regarding L. Chadwick vs. Town litigation for Pike Hall ADA conformity. All requested documentation has been submitted.

Selectmen signed the ME DOT Urban-Rural Initiative Program. They also signed the lease agreement between the Town of Cornish and the State of ME regarding the Hessian Hill Tower.

Selectmen reviewed all the pertinent criteria to set the 2005 tax rate. A motion was made to set the tax rate for 2005 at 19%. Seconded and approved by all Selectmen.

\$ 19.00

**Selectmen's Meeting**  
**July 20, 2005**

The request was made to go into Executive Session. Motion made to go out of Executive Session and resume the regular meeting.

The Selectmen asked that the office set up a file for correspondence received from residents regarding issues pertaining to Vision Appraisal. Meredith Harding wrote the Selectmen informing them she is declining to participate in VISION Appraisal's property web site.

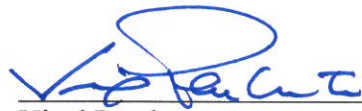
John Palmer reported that he had a G/A application to process this past week. The outcome was that the individual did not meet the criteria of need and a letter was sent to explain the Town's findings.

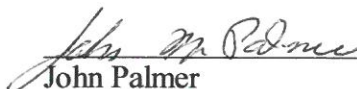
Elaine was asked to send a letter to Brad Perkins addressing his request for abatement of real estate taxes.

Diane presented the responses to the requests for bids on heating oil for the Town and Fire Department. Motion made to accept C.N. Brown's price of \$1.79.9. Seconded and approved by all.

Diane requested Selectmen's approval to reduce the balance kept in the Town's checking account and have the funds above that amount kept in the sweep account that is interest bearing. A motion was made to allow Diane to take the necessary steps with Bangor Saving Bank to decrease the balance kept in the Town's checking account to \$45,000. The motion was seconded and approved by all.

Motion made to adjourn meeting. Seconded.

  
\_\_\_\_\_  
Vinal Pendexter

  
\_\_\_\_\_  
John Palmer

  
\_\_\_\_\_  
Margaret Aspinall