



**Town of South Thomaston, Maine**  
**125 Spruce Head Road**  
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**Selectboard:**  
Jan Gaudio  
Walter Reitz  
Cheryl Waterman

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## **SELECTBOARD MINUTES**

**Date: September 11, 2018    Time: 6:00 PM                    Place: Municipal Building                    Rev.0**

Present: Selectboard Members: Jan Gaudio, Walter Reitz and Cheryl Waterman  
Others: Town Administrator Terri Baines, Jake Miller, ACO William Demmons, Dorothy Meriwether, Betty Thomas, John Spear, Leslie Spear, Rhonda Nordstrom, Bob Nordstrom, Karen Rizzo, Elan Lantz, Emmy van Stolk, Kevin Kelly, Sue Kelly, and Randy Chanler

Note: A listing as present does not denote attendance for the entire meeting.

### **I. Call to Order**

Reitz called the meeting to order at 1800.  
Reitz asked for a moment of silence to honor those lost on September 11, 2001.

### **II. Adjustments to the Agenda**

Baines added MMA Voting Credentials under V. Review Correspondence

### **III. Public Comment for Items Not on the Agenda**

Vice President of the First Jake Miller introduced himself.

### **IV. Business Items**

#### **A. ACO**

The Town's ACO William Demmons introduced himself. The Town currently does not require the dog owner pay an impoundment fee to have their dog released. Demmons suggested that a \$25 fee should be charged. This fee could be used to offset his pay or the yearly fee we pay to Pope Memorial Hospital.

***Waterman moved and Gaudio seconded a motion to accept the recommendation of the ACO for a \$25 impoundment fee. This will be added to Paragraph 8 Impoundment Fee Collection and Licensing in the Pope Memorial Humane Society Animal Care Facility Agreement.***

***Motion passes 3-0.***

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## B. Atwoods/Sea Maz Odor Complaint

The residents attending the meeting from Spruce Head Island wanted to know what took place when DEP visited Atwood's and how can the odor problem be prevented from happening again.

The Nordstroms live above Atwood's. Bob has observed a foul substance gushing out of a pipe coming from a building in the quarry. He showed the Board pictures of the building.

Rizzo said she knows of pictures showing the dumping of dead rotting bait off the dock. She wanted to know if that was legal and if it isn't what the repercussions are. Reitz said he would like the person who has the pictures to come forward. Meriwether didn't think people would come forward.

There was a discussion regarding the over purchasing of bait and bait being dumped into the water off the wharf. Atwood said they are not dumping bait into the water. They use that water for their lobsters. Meriwether said Atwood's credibility is in question. She asked Reitz if Jim Crowley from DEP tested the water. He did not.

Reitz was at Atwood's when Jim Crowley from DEP was there. Reitz also stayed after Crowley left and toured the facility with Manager, Brittany Willis. Some residents felt Atwood's knew Crowley was coming because there was a significant clean up a couple of days before he arrived. Reitz said yesterday the bait smell was strong and the dumpsters were overflowing. This is one of the changes under new ownership. Dumpsters were never overflowing when William Atwood ran the business. The Company can be cited under Maine Statute §2802 Miscellaneous Nuisances. Atwood's can be ordered to mitigate the problem; if they want to challenge the order they can ignore it then a decision would have to be made whether to take it to Superior Court. In order to take it to Court the Town would need specific evidence.

Spear asked if the LPI had found that Atwood's had an overboard discharge permit. Baines will contact the Town's LPI, Terry Brackett, and find out how to get this information.

Meriwether asked if the residents should be making these calls or is it up to the Town to protect the residents. Reitz has gone down to Atwood's and listened to the noise and smelled the odor several times. He has called The Department of Marine Resources. Gaudio has also been monitoring the odor and trash. Reitz feels the Board is taking proper action.

Questions asked by the residents: Can DEP show up for a surprise meeting? Can the Board cite Atwood's for the obnoxious odor. Can OSHA be called? Can the Town call OSHA? By law, can Atwood's operate 24/7? Atwood's can operate 24/7, unless there are exceptions on their permits. OSHA violation complaints come from employees.

Reitz will ask Brittany if she would be willing to give a tour of Atwood's to the concerned residents. Rizzo will email a letter from an island resident. She also has some pictures she will send. The neighbors are only asking for neighborhood respect.

Reitz and Gaudio will continue to monitor the situation. Gaudio agrees something has changed, the odor is different than in the past. The major change is ownership. The

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Board will follow up on overboard discharge permit. A representative from Atwood's could possibly be invited to a future meeting to speak and answer questions.

**C. Update on Butler School Futures Committee**

Spear reported the BSFC is meeting tomorrow night. The Committee will hold a Public Informational Meeting on the 26<sup>th</sup> of September. The Committee will be seeking input from the public on what they suggest for uses of the Gilford Butler School property. Spear asked if the town was going to have a public hearing on the Special Town Meeting. Spear would like to be able to say at the September 26<sup>th</sup> meeting that that hearing is just for uses, and the Board will have a public hearing on whether to accept/reject the building. Spear and John Hansen toured the school. Reitz suggest the Board have a public hearing concerning the warrant article at the next Selectboard meeting. Spear reported the deed issue is still being worked on.

***Gaudio moved and Waterman seconded a motion to approve the Proposal for Professional Design Services for Town of South Thomaston Gilford Butler School submitted by John Hansen, Architect dated August 30, 2018.***

***Motion passed 3-0.***

**D. Discussion of the Public Hearing for the Butler School accept/reject Special Town Meeting**

Public hearing will be held at the October 16<sup>th</sup> Select board Meeting.

**E. Execute Warrant for October 30<sup>th</sup> Special Town Meeting**

***Waterman moved and Gaudio seconded a motion to execute the warrant for the Special Town Meeting to be held on October 30<sup>th</sup>.***

***Motion passed 3-0.***

**F. Sign Local Road Assistance Program Certification 2018-2019**

**Gaudio moved and Waterman seconded a motion to sign the Local Road Assistance Program Form.**

**Motion Passed 3-0.**

**G. CEO Evaluation**

The board compared evaluations

**H. Abatement/Supplemental**

***Waterman moved and Gaudio seconded a motion to approve the Assessors' Agent's recommendation of an abatement in the amount of \$179.96 to Bernard and Shirley Santoro 785 Spruce Head Road, Map 3 Lot 10.***

***Motion passed 3-0.***

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**Waterman moved and Gaudio seconded a motion to approve the Assessors' Agent's recommendation of a supplemental tax in the amount of \$120.87 to Nancy Ninnis 789 Spruce Head Road, Map 3 Lot 009.**

***Motion passed 3-0.***

**I. Bank Proposals**

Miller presented his proposal from the First to the Board. The First will offer an interest rate of 1.5% on all accounts. The current rate on all our accounts is .60%. The First will offer remote scanning, as many checks as we would like free of charge. There will be no fees charged to the municipality. Miller recommended the Town stay with payport for customer credit cards. The First would offer a credit card for the Town and if the balance is paid every month there would be no fee. The First is asking for a three year commitment. Tabled until the October 16 meeting.

**J. Town Landing**

The Town received the Topographic Survey from Gartley & Dorskey. Gaudio reached out to Bill at Gartley & Dorskey asking what the next step would be. Bill views the next steps for Gartley & Dorskey as preparing an overall plan depicting the proposed improvements. Gaudio will email Bill to let him know to move forward with preparing the plan.

**K. Other Business**

There was no other business.

**L. Old Business**

There have been complaints concerning the new transfer station stickers after residents have read the Notice released by the Transfer Station Board. There was a short discussion on purchasing the tickets at the transfer station.

**V. Review Correspondence**

**A. Workers Compensation Dividend**

The Board requested Baines put the press release on the Town's website.

**B. John McDonald, Superintendent RSU #13**

No action taken.

**C. MMA voting credentials**

No action taken.

**VI. Reports and Administration**

**A. Ambulance –August Report**

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The Board reviewed the August report.

**B. Assessor's Agent – August Report**

The Board reviewed the August report.

**C. Code Enforcement Officer – August Report**

The Board reviewed the August report.

**D. EMA- August Report**

The Board reviewed the August report.

**E. Fire Department – August Report**

The Board reviewed the August report.

**F. Licensed Plumbing Inspector – July Report**

The Board reviewed the July report.

**G. Treasurer – August Report**

The Board reviewed the August report.

**H. Town Administrator's August Report**

The Board reviewed the August report.

**I. Authorize Treasurer's Warrants**

The Board authorized the Treasurer's warrants.

**J. Review Check Reconciliations for August 2018**

The Board reviewed the check reconciliations for August.

**K. Approve Minutes of August 14 and 28, 2018**

*Waterman moved and Gaudio seconded a motion to approve the minutes of the August 14<sup>th</sup> and 28<sup>th</sup> meetings.*

*Motion passed 3-0.*

**L. Schedule Future Meeting(s)**

The Board scheduled a public hearing October 16<sup>th</sup> at 6:00 prior to the Selectboard meeting. The Public hearing will be for discussion on Article 2 of the Special Town Meeting. To see if the Town will vote to accept a quit claim deed from RSU #13 for the Gilford Butler School Property and to allow all interested members of the public an

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opportunity to comment on the proposed General Assistance Ordinance and yearly Appendices.

**Adjournment**

Waterman moved and Gaudio seconded a motion to adjourn at 2025.

Selectboard approved September 26, 2018