

Town of Thorndike Selectmen's Meeting Minutes 11.20.2019

Attendees: R Nelson, J Ard, M Mayer, P Pendergast, E Pendergast, T Clark, J Trafton, J Wadick, Z Bond, R Stevenson, M Berry & D Berry

R Nelson opened the meeting at 6:31pm

Minutes: M Mayer made a motion to accept the minutes as written, J Ard seconded, motion carried.

3 votes in favor of the motion / 0 votes to opposed the motion

Tax payer request to be placed on Agenda: Tisha Clark: regarding subdivisions and lots

Tisha wanted a moment at a Selectmen's meeting to review the reasoning for her needing a subdivision when she feels that she does not need a subdivision. That a lot permit should be sufficient for the lot off of 112 East Thorndike Road.

Her Lawyer and the Title Insurance company do not see that it needs to have a subdivision.

The property lots are reference on Map 5 & 7: referenced as the Spear's property that was bought on February 28,2018.

Discussion of 2 lots on one deeded piece of property; when they bought the property Tisha thought there were 2 parcels.

Tisha was showing a diagram that she had prepared in which she referenced Lot # 1 that has the house off of the East Thorndike Road. Tisha reviewed the State Statute that allows a lot to have 3 divisions. In this division of the no more than 3 lots, this does not count a lot that has been ordered to be issued by the court to Joshua Ard.

Lot # 2 from Lot one was created and sold to the Johnson's.

Lot# 3 was given to the abutter Derek Davis Dirt Works in 2013. Derek Davis bought his parcel in 2013.

Discussion to review the deed that was given to Derek Davis in 2013, that it was notarized. Maine State Statute advises that when a piece of a property is sold to an abutter it is not seen as lot; not seen as creating a lot. The only other lot is the Davis lot transferred on 11/15/2013 making it 5 years old. Tisha once again reiterated that she does not feel that she needs a subdivision.

J Ard questioned the "farm lot"

R Nelson questioned the 2013 deed being a legal deed as Spear's transferred a portion of the deeded, mortgage property without receiving a partial mortgage waiver.

R Nelson clarification: when the whole property owns all it includes the Davis Dirt Works shop. The shop is in Derek Davis' name and the farm is in Tisha Clark and Derek Davis' name.

Once again J Ard and R Nelson are referencing the deed from Spears to Derek Davis as not a legal deed.

J Ard continued to advise that the Mortgagee does not see the deed from Spears to Derek Davis as a legal deed.

Tisha advised that she received 3 tax bills; the farm is noted as 2 lots and then the Derek Davis Dirt Works property. Town Tax Collector: Doreen Berry advised that this is correct; the farm is referenced as 2 lots with the town records; 2 tax bills. Indicated on the tax maps; referenced under Map 5 & 7.

3 lots in 5 years:

Lot 1 to Johnson

Lot 2 to Davis Dirt Works: land abutter (not done yet)

Lot 3 Ard Lot: not relevant as court awarded

House with 10 acres?

R Nelson advised to delay the deed to Davis Dirt Works.

If they proceed with the sale of the house with the 3 lots then you can do the Davis Dirt Works deed after.

Planning Board Chair asked for clarification of what the plans are for the property from Tisha.

- A. Johnson Property
- B. Lot #3 & #4 & Davis Dirt Works: all one parcel

R Nelson reference that the deed to Davis Dirt Works was illegal as no partial mortgage waiver so this removes this split.

Tisha asked for permission to continue with the sale of the property? Tisha does not want to do anything illegal or to be fined.

R Nelson advised that Tisha can have 3 lots in a 5 year period. If it keeps to this the Selectmen are ok with Tisha to proceed with the sale of the property and no subdivision needed.

Planning Board Michael Berry point of reference is the tax map but the deed is what people need to go by. R Nelson agrees; that the tax maps are just indications.

J Ard advised to Tisha that the Selectmen offer their approval to continue with the sale of the property (as long as no more than 3 lots in a 5 year period) and there will not be fines assessed daily.

J Ard stated that the Town in general does not fine daily, Tisha said that is what the statute states; J Ard says the town can assess fines daily but can also waive them if the land owner is attempted to come to a resolution.

J Ard reiterated that they Town of Thorndike is not going to fine Tisha Clark or Derek Davis but the Davis lot needs to be addressed. J Ard advise that the Davis Dirt Works deed needs to be recanted and then sell the property.

T Clark advised that she will have her lawyer contact the Selectmen tomorrow morning and speak to R Nelson to review. R Nelson advised that he will in the office from 9am to 12pm.

Fire Department:

Old:

Waldo Comm list: FC R Stevenson advised that he is still working on the list to coordinate it with the 24 other fire departments.

Plowing: FC R Stevenson advised that due to his work schedule that he would not be available to plow the fire department.

Michael Berry returned to the room at a later time and was asked if he would continue to plow the fire department; M Berry agreed to continue at the same rate as last year. Insurance info already on file. Plowing and salting the parking lot. J Ard asked if M Berry wanted to propose a contract for what M Berry requires when plowing. J Ard picked up, items not in the way to name a few. M Berry advised that he usually does not use a contract and prefers not to have one.

M Berry: Discussion on the hydrant at the new fire station, does it work? Asking to see if worth keeping it clear for the winter. J Ard advised that it does work; it just does not work very good. R Nelson advised that FC R Stevenson is to be working on the status of the dry hydrants in town.

FC R Stevenson advised that there may be a few more volunteers; they are up to 6 members.

The Fire Department will be having their regular meeting on Monday and will be reviewing prospective trucks that they are considering. They are looking to have some options for the beginning of the year to be reviewed at the annual town meeting in March of 2020.

Town Office:

Old: R Nelson advised that the sand and salt pile has been put up and all ready to be used.

M Mayer inquired into the price of salt per ton, J Ard advised the same as last year: \$51.20.

Resident, Jeffrey Trafton asked if during the wintertime will the Selectmen use this time to design a salt and sand shed. M Mayer advised that they have met with Peter Coughlin months ago; Peter suggested a couple of engineers to use. They the Selectmen would need to review some designs and the projected costs for a salt and sand shed could be around \$400,000.

J Ard advised that per State Law the town only needs to cover the salt and sand pile and to have barriers in place. J Ard advised that we have a variance in place for what they are doing now. (Covering the salt and sand with plastic.)

Discussion of what info to gather for the Annual Town Meeting in March of 2020; of what funding is going to be needed to build the salt and sand shed.

J Ard advised that they Town is over budget for what they have done for work at this time; approximately \$41,000.

R Nelson advised that as soon the research is complete on the Reid property, then they can sell the property and put these funds towards the salt and sand shed. The money will be rolled into these current expenses for what they are overdrawn at this time.

J Ard compare the over budget on the current work done for the salt and sand property to a budget meeting at the City of Belfast and where Senator Erin Herbig was informing the city council that the State of Maine is over budget on projects as well. Comes from overestimates and lack of help.

Review of the water test results of the water from the Thorndike Post Office: R Nelson advised that the testing was completed to get a base unit for future knowledge. M Mayer asked if the Post Office drinks the water? R Nelson advised that they do not drink the water and there is no kitchen. The building is also privately owned; the building is not owned by the United States Postal Service; they rent the building.

Reid Property: R Nelson advised again that the he is still researching the property; found 6 ½ acres: bought from the Tax Collector in the town of Jackson, ME (foreclosed property). A neighboring town cannot sell another town's property.

J Ard reviewed with R Stevenson if Tidewater would offer a group discount to the Town of Thorndike? R Stevenson advised that usually with a group discount means that everyone would need to be on auto delivery, monthly and it maybe a couple of cents cheaper for oil and propane. It was advised that Athena employees are offered a discount with Tidewater. J Ard advised that the Bangor Chamber members are offered a discount from a propane/oil dealer.

Park and Rec Committee Chair: Jeff Trafton: advised that they will be having a Christmas program on 12/14/2019 in which Santa Claus will arrive on the Fire Truck; snow date 12/15/2019. J Trafton asked the Selectmen for permission of William Johnson to ride on the fire truck as he was not a member of the fire department. R Nelson approved this.

On 12/14/2019 at the Town Office event room they will be having a free turkey and ham dinner for the community. There was additional discussion on the event.

J Ard made a motion to sanction the Christmas event; M Mayer seconded; motion carried.

3 votes in favor of the motion / 0 votes to opposed the motion

Waldo County Humane Society renewal contract Jan 1, 2020-December 31, 2020

M Mayer made a motion to sign the renewal contract, J Ard seconded, motion carried.

3 votes in favor of the motion / 0 votes to opposed the motion

MRC Board Election Ballot:

M Mayer made a motion to cast the Town of Thorndike's vote for Tony Smith; J Ard seconded; motion carried.

3 votes in favor of the motion / 0 votes to opposed the motion

Discussion on Road signs: M Mayer and J Ard will review the roads and get a list of these together to place an order. J Ard advised that he is aware of another vendor that may offer a more competitive price. J Ard will look into this.

Abbot Road(Knox end) and the Leonard Road (Thorndike end): Knox wants to close their end the day after muzzle loading season; 12-14-2019. The Town of Knox wants Thorndike to close their end as well until mud season. This will mean installing a gate and a sign closed for the winter. No one lives on the road for the portion that they want closed and the ones that live on the road are ok with the road being closed for the winter.

R Nelson advised on some Summer Road projects completed

- Culvert at the end of the Palmer/Reynolds road has been cleaned out. Discussion of placing additional signs at this culvert to indicate that the road drops off. Right now there is caution tape placed there.
- Coffin Road: discussion of installing a "Dead End" sign
- Salt and Sand Lot: "pass at your own risk/ authorized personnel only" needs to be installed at new location; recommendation of MMA for insurance purposes that this sign be installed.

J Ard: Discussion on the old salt and sand pile location asking if the Town of Thorndike is the owner of the old road? Also discussion on needing to find out the current owner or heir of this property from Laurel Drew to send real estate taxes too.

Kitchen vent needs to be cleaned: M Mayer made a motion to approve the hood to be cleaned; J Ard seconded , motion carried

3 votes in favor of the motion / 0 votes to opposed the motion

R Nelson : discussion on electrical supply at the new salt and sand pile. It would be best to ask the auction hall owner for permission to plug into their electrical supply and the tie the electrical in with the construction of the new salt and sand shed.

M Mayer made a motion to accept \$265 in donations from the Park and Rec Committee; J A seconded, motion carried.

3 votes in favor of the motion / 0 votes to opposed the motion

R Nelson made a motion to sign the warrants, M Mayer seconded. Motion carried

3 votes in favor of the motion / 0 votes to opposed the motion

Warrants:

A/P Warrant from 11.6.2019 \$158,691.08

Current Warrant: \$59,328.99

Payroll Warrant: \$2369.41

R Nelson made a motion to adjourn, M Mayer seconded, motion carried

3 votes in favor of the motion / 0 votes to opposed the motion

Meeting adjourned at 8:58pm