

**COUNCIL MINUTES OF
September 12, 2019**

COUNCIL PRESENT: Peter Haskell, Sharon Grant, Mark Robichaud, Marcia Delaware, Chuck Ellms, Steve Gudroe, Fred Sherburne

STAFF PRESENT: Susan Page, Shannon Hall, Marilyn Curtis, Jeremy Trowbridge, Steve Kimball, Matt Connor, Kevin Wintle

The Invocation was led by **Trampas King** followed by the Pledge of Allegiance.

Trampas King honored **Captain Rick Stocker** for performing the Heimlich maneuver on a gentleman during the Red Hotdog Festival that was choking. **Mr. Stocker** wasn't able to attend the meeting so **Chief Matt Connor** accepted a plaque for him.

Trampas King recognized librarian **Liz Breault** for 30 years of dedication to the Town of Dexter and Abbott Library. **Mr. King** stated that it is hard to find such dedicated employees these days.

I. PUBLIC HEARING

1. *Order A2019-55 New Victualer's License for Todd & Dawn Tritch DBA Gatherings 4 Main Street*
2. *Order A2019-56 Automobile Graveyard/Junkyard Permit Renewals*

II. MINUTES

1. *Approve/Amend Council Minutes of August 8, 2019*

Motion to Approve: **Marcia Delaware**

Second: **Sharon Grant**

Vote: Unanimous, motion passes

III. NOMINATIONS, APPOINTMENTS, & ELECTIONS

1. *Order A2019-54 Appointment to the Dexter Utility District Board*

BE IT ORDERED, that the Dexter Town Council hereby approves the appointment of Jeffery Crowell to the Utility District Board of Directors for a term to expire Election Day, November 5, 2019.

Filed September 12, 2019

FRED SHERBURNE

Second: **Mark Robichaud**

Vote: Unanimous, motion passes

IV. UNFINISHED BUSINESS

1. *Manager's Report*

Trampas King reported that the roads were finally done and that D.O.T. will be around for another week for follow up issues. **Mr. King** reported that there was a Heart and Soul meeting on Monday night with about 25 people attending. **Mr. King** also mentioned two great people in Town that had recently passed, **Vern Bodwell** and **Mac Dow**. **Mr. King** stated that he is waiting to hear from Hopkins paving about Main St., High St., and Free St.

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2. *Departmental Reports*
NO COMMENTS

3. *Order A2019-55 New Victualer's License for Todd & Dawn Tritch DBA Gatherings 4 Main Street*

BE IT ORDERED, that the Dexter Town Council hereby approves the new Victualer's License for Todd & Dawn Tritch doing business as Gatherings 4 Main Street, 4 Main Street subject to the final inspection and approval from the State and local authorities.

Filed September 12, 2019
MARK ROBICHAUD

Second: **Steve Gudroe**
Vote: Unanimous, motion passes

4. *Order A2019-56 Automobile Graveyard/Junkyard Permit Renewals*

BE IT ORDERED, that the Dexter Town Council hereby approves the Automobile Graveyard/Junkyard renewals for the following:

Dave Berry dba Dave Berry's, 51 Winter Street
Kevin Davis dba B & K Auto, Kaeton Pond Road
Mark Nelson dba R & M Graveyard, 49 Nelson Road
John & Gloria Poulin dba Poulin Salvage, 501 Charleston Road
Leslie Woodard dba Woodard's Garage, 55 Winter Street
Everett Wooster dba Edge of Town, 135 Line Road

Filed September 12, 2019
STEVE GUDROE

Second: **Mark Robichaud**
Vote: Unanimous, motion passes

5. *Order A2019-43 Sale of Tax Acquired Property – 138 Free Street*

BE IT ORDERED, that the Dexter Town Council, in accordance with the Dexter Town Code, hereby authorizes the sale of certain tax acquired property being more specifically described as Map 12, Lot 38 at 138 Free Street to Nicholas Bowman for the amount of \$5298.32. Transfer Tax costs shall be the responsibility of the purchaser.

~~Filed June 13, 2019~~
Refiled September 12, 2019
CHUCK ELLMS

Second: **Marcia Delaware**
Vote: Unanimous, motion passes

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V. NEW BUSINESS

1. Order A2019-57 Closure of Municipal Parking Lot

BE IT ORDERED, that the Dexter Town Council hereby authorizes the closure of the municipal parking lot behind Bangor Savings Bank on September 15, 2019 from 1PM to 4PM for the VFW Post 4298 Cruise-In.

Filed September 12, 2019
MARCIA DELAWARE

Second: **Sharon Grant**

Vote: Unanimous, motion passes

2. Order A2019-58 Transfer of Police Cruiser to SAD #46

BE IT ORDERED, that the Dexter Town Council, in accordance with the Dexter Town Code, hereby authorizes the transfer of a 2011 Ford Crown Victoria with a VIN# of 2FABP7BV1BX172523 to MSAD #46 for use by the School Resource Officer.

Filed September 12, 2019
SHARON GRANT

Second: **Marcia Delaware**

Vote: Unanimous, motion passes

3. Order A2019-59 Accept Bid for Sale of 2000 International Truck

BE IT ORDERED, that the Dexter Town Council hereby accepts the bid from Gordon White in the amount of \$8500 for the Public Works Department's 2001 International 4900 Dump Truck with headgear, plow, wing, and sander. VIN # 1HTSDAAR81H371607.

Filed September 12, 2019
FRED SHERBURNE

Second: **Steve Gudroe**

Marcia Delaware stated that she thought we were looking to get at least \$10,000 for the truck and she would like to see us keep it so that the Highway Department could have a spare. **Chuck Ellms** stated that one of the two trucks needs to go. He stated that \$8500 was better than nothing and that money could go towards fixing the 2003 International. **Steve Kimball**, acting Highway Department foreman, stated that the 2003 International is in worse shape than the 2000 as it will need transmission, and frame work. **Mr. Kimball** stated that they really need a spare truck. **Trampas King** stated that all of the trucks are old ranging from 9 to 19yrs. He stated that we have 6 routes and 7 trucks and if we get rid of the 2000 we won't have a spare. With no spare, when a truck breaks down it essentially takes two people off the road. **Steve Gudroe** asked if the transmission and frame is bad why would we keep it. **Steve Kimball** suggested that we keep both trucks.

Vote: 3 – 4, motion fails

4. Order A2019-60 Accept Bid for Sale of 2003 International Truck

BE IT ORDERED, that the Dexter Town Council hereby accepts the bid from

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_____ in the amount of \$_____ for the Public Works Department's 2003 International 2000SE Dump Truck with headgear, plow, wing and sander. VIN #1HTGGAXT23H563849.

Filed September 12, 2019
MARK ROBICHAUD

No Bids Received

Trampas King stated that he was hoping to get bids for both trucks which would allow them to buy another truck. **Marcia Delaware** stated that most contractors have a spare truck so she doesn't see why we would expect the Town crew to not have a spare. **Mrs. Delaware** stated that she was concerned with the keeping a truck that has a transmission problem. It was suggested to put the 2003 International back out to bid or put it up for sale and use the money to fix up the 2000 International. **Chuck Ellms** asked what happens if we use the truck for one storm and the transmission goes then what would we do. **Mr. Ellms** stated that we bought the Mack with the agreement to sell one of the trucks.

Chuck Ellms made a motion to put the 2003 International up for sale

Second: **Steve Gudroe**

Vote: 6 -1, motion passes

*5. Resolution A2019-5 Participation in the Community Heart and Soul Program
as Outlined by the Orton Family Foundation*

WHEREAS: the Town of Dexter seeks to develop a plan for its future including the voices and opinions of as many of its residents and businesses as possible;

WHEREAS: the Orton Family Foundation Heart & Soul Program provides an effective template for use in community development and planning that encompasses a broad cross section of community participation;

WHEREAS: the Town is preparing to revise its Comprehensive Plan and Town leaders value involvement from a broad cross section of residents that will result in a better blueprint for the Town.

THEREFORE BE IT RESOLVED: that we, the members of the Dexter Town Council, approve to participate in the Community Heart & Soul project as outlined by the Orton Family Foundation, with assistance from Jane LaFleur, Certified Heart & Soul Coach.

BE IT FURTHER RESOLVED: that the Dexter Town Council supports Trampas King, Town Manager, to act as the Project Coordinator with the assistance of volunteers.

Filed September 12, 2019
STEVE GUDROE

Second: **Mark Robichaud**

Trampas King stated the Heart & Soul program will get the community more involved in the decision making. The volunteers will talk with residents to see what they like, or dislike, about the Town and what they would like to see happen. It will involve school kids all the way up to the elderly and that it will be kept away from the political side of things. **Mr. King** said that we still

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need a project coordinator that will work under him and he hopes to have different groups working together for a vision of the future. He stated that this program will also help with getting grants and with the Comprehensive Plan that needs to be updated. **Marcia Delaware** asked if we are committing to the program and how much time and money will be involved. **Mr. King** stated that the whole program takes about 2 years to complete and he would like to use \$5,000 from economic development and he believes that the DRC will get involved as well. **Ms. Delaware** asked if we will be paying the coordinator. **Mr. King** stated that he would like to be able to spread the work load around and not have one person do everything. **Fred Sherburne** said that it was encouraging that out of 30 people that attended the meeting about half of them were new people that we don't see every day and he feels that the Town is ready for something like this.

Vote: Unanimous, motion passes

6. Proposed Ordinance – Transfer of Money for Paving of Aprons

BE IT ORDAINED, that the Dexter Town Council hereby authorizes the Finance Officer to transfer \$14,750.00 from General Fund Account #G10-37300-00 to Street Reconstruction Parking Lot Paving Account #E105-03-507-61 for paving of the Main Street entrance, and exit to the municipal parking lot.

Filed September 12, 2019

CHUCK ELLMS

Second: **Fred Sherburne**

Trampas King explained that with the paving of Main Street the entrance to and exit from the municipal parking lot needed to be done. Also the sidewalk beside David Gray's office and the sidewalk in front of Rand Hill need repair. **Marcia Delaware** asked if it was part of the original plans and **Mr. King** said no. **Chuck Ellms** asked about taking it out of the paving account instead of the general fund. **Mr. King** said that is an option but he would like to keep the money in the paving account.

Vote: Unanimous, motion passes

*7. Proposed Ordinance – Amendment to Chapter 9 Motor Vehicles and Traffic,
Article IV, ATV's on Public Ways*

BE IT ORDAINED, that the Dexter Town Council hereby amends Chapter 9 Motor Vehicles and Traffic, Article IV. Specific Street Regulations to add the following:

Sec. 9-80 Use of All Terrain Vehicles (ATV) on Public Ways

ATV use on Town approved public ways are open as determined annually by the Maine Department of Agriculture, Conservation, and Forestry from 8:00AM to dusk. Operation of an ATV will be with the flow of traffic in the travel lane at the posted speed limit. For definition purposes, the Four Season Adventure Trail will be referred to as the "railroad bed".

The operation of an ATV will be allowed on the following public ways:

j. Charleston Road Extension

k. Charleston Road

l. Kaeton Pond Road

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- m. Nelson Road*
- n. Park Street*
- o. Pleasant Street from Park Street to Common Street*
- p. Common Street*
- q. Main Street Hill from Charleston Road to Upper Garland Road*
- r. Upper Garland Road*
- s. O'Brien Road*
- t. Wing Road*
- u. Dunn Road*
- v. Carr Road*
- w. Pullen Road*
- x. Airport Road east of Phinney Road*

Filed September 12, 2019
MARCIA DELAWARE

Second: **Sharon Grant**

Marcia Delaware asked if the list of road openings had been approved by the ATV task force. **Trampas King** stated that they had. A resident raised a question about insurance on the ATV's and stated that ATV's aren't made to be ridden on paved roads and it makes them unsafe and unsteady. **Denise Webb** stated that ATV's aren't safe on pavement if they are going at high speeds. If you are going the speed limit it will be fine. **Mrs. Webb** also stated that with the high cost of some ATV's a lot of people have insurance on them. It was stated that there have been studies done showing that when it is legal to be on a road people slow down and go below or at the speed limit. **John Poulin** stated that he has ATV's speeding by him on the Charleston road and he wanted to know if the Town was going to notify everybody living on all the streets that their road might be opened to ATV's. **Rich Hoffman**, president of the Garland Trailhawks ATV club, stated that by opening these roads it would allow access to all public roads in Garland except for two. He also said that because of the actions of a few people it gives ATV's a bad name. **Mr. Hoffman** stated that a lot of the members of the Trailhawks are retired people and they all do their part to keep the trails in great shape. **Urgel Pomerleau**, a resident on the Silvers Mills Road, stated that after they opened the road to ATV's that people have been going slow and are obeying the speed limits.

Vote: Unanimous, motion passes

*8. Proposed Ordinance – Amendment to Appendix C. Property Maintenance,
Section 2: Maintenance Standards/Premises and Yard Areas*

BE IT ORDAINED, that the Dexter Town Council hereby amends the Dexter Town Code, Land Use, Appendix C. Property Maintenance as follows:

Appendix C. Property Maintenance

SECTION 1. PURPOSE/SCOPE: The purpose of this Ordinance is to get a minimum standard for the maintenance of the premises surrounding said buildings, structures, and vacant lots.

SECTION 2. MAINTENANCE STANDARDS/PREMISES AND YARD AREAS:

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1. All premises and ~~yard areas~~ exterior property shall be maintained in a clean and safe condition.
2. All yards or lots shall be kept free of accumulations of trash, garbage, refuse, junk, or other material which may cause a hazard to public health, sanitation, and safety or may act as a breeding place for vermin.
3. All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation other than trees and shrubs. However, this term shall not include cultivated flowers and gardens.

SECTION 3. ENFORCEMENT: The Code Enforcement Officer of the Town of Dexter shall enforce the provisions of this Ordinance. In the event of a violation, the Code Enforcement Officer shall notify the property owner by serving a written notice by certified mail or by hand delivery. Said notice shall explain the nature of the violation and allow no more than thirty (~~30~~) (15) days from the date of the receipt of the notice to correct the violation. If the violation is not corrected within the required time allowed, the property owner shall be subject to penalties as set forth in Section 4.

SECTION 4. PENALTIES: Any person who violates any provision of this Ordinance after receiving notice of such violation shall be liable for civil penalty of a minimum of \$100.00 up to \$2,500.00 for each violation. Each day the violation continues shall constitute a separate violation as referenced in Maine State law. In addition, the Town may pursue all remedies and reliefs available by law without limitations.

Filed September 12, 2019
SHARON GRANT

Second: **Marcia Delaware**

Vote: Unanimous, motion passes

9. Discussion on Mill Street Bridge

Trampas King stated that the bridge has been in bad shape for quite some time and we got a proposal from Plymouth Engineering for \$131,000. A grant was awarded to the Town from D.E.P. for \$95,000. **Mr. King** said that if we did some of the work on our own we could save some money. Currently we need \$36,000 from the bridge account but the work won't be done until the fall of 2020. **Mr. King** stated that if we wanted to do the repairs he needed to sign the contract for the grant.

Marcia Delaware made a motion to allow Trampas King to sign a contract for the grant

Second: Chuck Ellms

Vote: Unanimous, motion passes

10. Discussion on Firearms in Municipal Buildings

Trampas King stated that our Human Services director **Jean Jacobs**, whose office is upstairs, was uncomfortable when a client came into her office with a gun in a shoulder holster. **Mr. King** asked Maine Municipal and they said we couldn't do anything because it is a public building.

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Ms. Jacobs asked **Sara Russell**, the GA Program Manager at DHHS, if she would be breaking any rules if she told applicants they had to leave their weapons in the car or at home when coming to an appointment . **Ms. Russell** stated that it wouldn't break any GA rules. It would be an office policy rule and several offices already have one in effect. **Steve Gudroe** asked why **Ms. Jacobs** was upstairs since we have an empty office downstairs that she could use. **Mr. Gudroe** doesn't feel that we should tell people that they can't get assistance if they carry a weapon. **Chief Kevin Wintle** said that she can always call the P.D if she feels uncomfortable. **Fred Sherburne** asked if we could post a sign saying that guns aren't allowed in the building. He feels that if we post it most people would comply.

11. Sign Quit Claim Deed for Bonnie Morrison

Motion to Approve/Sign: **Marcia Delaware**

Second: **Chuck Ellms**

Vote: Unanimous, motion passes

12. Sign Cemetery Deed for Kristy Woodard

Motion to Approve/Sign: **Steve Gudroe**

Second: **Fred Sherburne**

VI. PUBLIC FORUM

Chief Kevin Wintle asked **Trampas King** where they stood with the repair of the retaining wall at the Police Station. Mr. King said that he had spoken to Shawn Lancaster and he was supposed to be giving him a quote. **Fred Sherburne** thanked the Police for helping to catch his cattle that had managed to get out of the fence on Zions Hill.

Motion to Adjourn: **Fred Sherburne**

Second: **Mark Robichaud**

Unanimous in favor, motion passes

VII. EXECUTIVE SESSION

NONE

Respectfully Submitted,

Susan E. Page
Town Clerk