

**TOWN OF DIXFIELD  
MEETING MINUTES  
MONDAY, September 14, 2015, 5:30 PM  
LUDDEN MEMORIAL LIBRARY**

**Present:** Board of Selectmen, Chair Daley, Malcolm Gill, Norman Mitchell, Dana Whittemore, and Eugene Skibitsky.

Town Employees present: Town Manager Carlo Puiia, Chief Howe, Randy Glover, Water Supervisor James White, and Leo Jolin.

Citizens present: Mrs. Mitchell, Peter and Lori Holman, Don Lutick, Sue Holmes, Rick Davis, Michael Palmer, Mr. and Mrs. Lauren Hebert, Dan McKay, Aaron Jamison, and note taker Norine Clarke.

Non- Citizens: none

Press present: Matt Daigle of the Lewiston Sun and WVACTv.

**1. Call to Order: Pledge of Allegiance**

Chairman Daley opened the meeting at 5:30 pm with the Pledge of Allegiance.

**2. Agenda Adjustments**

- a. to item 4a add #27
- b. to 4b add #26
- c. to item 6 add b, legal opinion
- d. to item 6 add c, ethics policy violations

**3. Minutes:** Mr. Whittemore made a motion to accept the August 24 minutes and Mr. Skibitsky seconded the motion. The vote was 4-0 because Mr. Gill had been absent from that meeting.

**4. Warrants and Payroll:**

Mr. Gill made a motion to approve the warrants and payroll as in the agenda corrections. Mr. Mitchell seconded and all present were in favor.

**5. Department Head Reports:**

**a. Water Supt.** White reported to Mr. Skibitsky's question of the previous meeting, that there would be no payment this year on the High St. Project. The first payment will be spring of 2016.

The boring needed for the Aunt Hannah area will probably not get done this year.

He reported on the requested estimates for an engineer to do the study for the Route 2 project when DOT comes through near the Town Garage. There were only two responses. Wright Pierce' price was \$9750. Al Hodsdon's price was \$4600. Mr. Skibitsky made a motion to go with the Hodsdon offer and Mr. Whittemore seconded the motion. All were in favor.

The Robbin's Ave. project is complete except for trench paving.

The Howard St. project is now all on a new main with all pipes replaced.

On Sept. 16, they will be doing the valve replacement on River Lane and the water will

be off for probably less than an hour.

**b.** Police Chief Howe passed out the information packets and reported that there was a higher amount of incidents than usual but this is not uncommon for the summer months.

He reported on the cruiser bids. He contacted five dealers. Prices for Ford utility vehicles and Ford sedans were requested, and there is not much difference between the two options.

Utility vehicle bids were from Quirk Auto and Rowe, Auburn. Quirk's bid is a little lower but it will need additional work. Rowe's bid is for a ready for the road vehicle. Rowe also has a fully equipped sedan. Ripley and Fletcher has a sedan, but it is not fully equipped. The department's regular installer charges \$500 for installing lights etc. Mr. Daley suggested that the Chief might check with Professional Vehicle Corporation to compare prices. Rowe Ford offered a \$500 trade in on the 2005 cruiser. Quirk allowed \$1140. These amounts are reflected in the bid prices.

There have been questions about parking near a ball field on Severy Hill. The side of the road which has "No Parking" signs is the side that the folks attending the games want to use so that they can watch from their cars and chairs. The Chief asked Mr. Glover if he felt there would be any problem with changing the no parking area to the other side of the street and he said no. Part of the problem is that people park on both sides of the street and makes it difficult for through traffic. Mr. Mitchell made a motion that the signs be moved from the side of the road near the ball field to the other side of the street and Mr. Gill seconded the motion. The vote was 5-0. The Chief said that parking should be in one direction and those in the "new no parking zone" will be dealt with.

He reported that the Country Music night on Sept. 12 at the Mountainview Campground had gone very well with no incidents.

Mr. Daley asked about solutions for the speeding reports on High St. The Chief said he would like to try stricter enforcement first. They are waiting for the project to be finished and will run details and get seen. He suggested that the people who live on that street could help by restricting their speed and make the people behind them slow down. It may require more patrols.

Mr. Whittemore asked about the ATV trails and access. He had visited Greenville and the machines are welcome everywhere in town which is good for local business. Chief responded that there had been grants in the past to work on the issue, and that citizens need a waiver to get to marked trails. Mr. Whittemore remarked that because of town streets and state highways, many places were not accessible and asked if he would look into options to making the town more ATV friendly.

**c. Public Works:** Mr. Glover reported that the Lancaster St. catch basin is in and is working well. Currently, Mr. Glover is supposed to be on vacation but has had to come in because there are only two on the crew, Leo and Craig. The catch basins are also installed on Howard St. and Kidder Ave. Demolition of the town-owned property on High St. will begin on Sept. 15. The chipper is ready to register. TM Puiia is sending the sand bid out this week. Applications are being received for the open position on the crew. Mr. Robert Halacy stepped in to finish up the mowing in the cemeteries. Mr. Glover contacted Mr. Morgan about the possibility of putting a sidewalk on Nash St. and gave the Board the proposed project information.

**7e.** Chair Daley requested that the Agenda be changed to move 7 e to be the next item for discussion. Citizen Don Lutick has filed complaints against two Planning Board Members, Lauren Hebert and Michael Palmer. Mr. Hebert requested that the complaint against him be discussed in open meeting. Mr. Hebert read his response to the complaint (see attached). Mr. Skibitsky noted that the Ethics Policy should be extended to all committees. TM Puia read the letter of complaint from Mr. Lutick. Opinions were expressed by Board members and audience members but no action was taken.

**6. Old Business:** a. The Safe Routes to School Sidewalk Project was discussed again. The project is to include 3500 feet of sidewalk, not including Nash St. TM Puia presented a warrant for a Special Town Meeting to be held on Oct. 1 at 6:00pm at the High School with a Public Hearing preceding the meeting. Currently, the amount needed to comply with the DOT grant proposal will need \$46,850 to be taken from surplus. If the job estimates come in lower, that amount will be less. If the Town votes not to continue with the project, the Town must pay the engineering costs (approx. \$31,254.14) Mr. Whittemore made a motion to approve the Warrant and Mr. Mitchell seconded. Vote, 5-0.

6 b. A lengthy legal opinion from MMA was presented by TM Puia concerning the timing necessary to schedule a vote in response to the recent Petition for a proposed amendment to the Wind Power Ordinance. Because the Petition stated a request for a referendum, the vote must be next June at Town Meeting. Case law numbers would have had to be in the wording of the petition to have the vote at the “next” Town Meeting. In the meantime, the Planning Board cannot offer any amendments until this one is determined. MMA said you can have competing ordinances but it is not wise in case both should be adopted. Mr. Jamison felt this was another delay tactic. Mrs. Holmes said the intent was to have the item to be voted on have a yes means yes and a no means no vote, and that absentee ballots could be issued. Mr. Mitchell noted that a Planning Board member signed a page of the Petition signatures.

6 c. Ethics Policy violations: TM Puia presented some templates and models for discussion.

One of the models enumerated three options: 1. letter of reprimand, 2. censure, and 3. request for resignation. One also called for an Ethics Commission. Mr. Skibitsky suggested that they draw up a process for complaint and a process of action. Mr. Gill noted that there was already a recall ordinance for citizens to remove Selectmen from the Board. Mr. Skibitsky questioned whether the Policy should be extended to appointed positions and employees. Mrs. Holmes questioned the ethics of public social media and saying whatever you want. Mr. Daley and others said everyone was entitled to their own opinion. Mr. Holman asked if the Selectmen would or should be censuring their own members. Mr. McKay said that persons can say all they want. Mr. Jamison said that he felt that there is a lot being spoken that should not, and that folks should not get “into it” on Facebook. Mr. Skibitsky said that all at the Selectmen's table cannot be unethical and cover it by saying it is “my opinion”.

**7. Other Business:** a. Appointment of Selectman to Sewer District Administrative Committee. Mr. Whittemore is currently serving but there needs to be a replacement for Mr. Belskis. The chosen members will represent Dixfield at the Biannual meeting and at

the I and I meeting. After discussion about the ability to attend, Mr. Daley volunteered. Mr. Skibitsky nominated Mr. Daley to serve as a representative and Mr. Whittemore seconded. The vote was 4-0 and Mr. Daley abstained.

b. Appointment of Maine Municipal Assoc. Voting Delegate for Annual Business Meeting. Mr. Skibitsky nominated TM Puiia and Mr. Whittemore seconded. All were in favor.

c. Western Maine Transportation System sent a letter to the Board requesting a Letter of Support. WMTS has been funded by some of the individual towns of Oxford County but not all. They are requesting that this be changed to County based funding to make the shares more equal and to eliminate the need to go to every town to request funding. Mr. Skibitsky moved to support the request and have the Town Manager follow through. Mr. Daley seconded the motion and the vote was 5-0.

d. The Town of Mexico sent a request to ask the Town of Dixfield to share the legal costs to obtain the salary amounts for Med-Care. Following discussion, the recommendation was made to suggest that they go to MMA for the legal information.

**8. Other Business: none**

**9. Public Correspondence:** a. MDOT Androscoggin River Bridge Update. Following a public meeting about the specifications for the Bridge some changes have been made in the width of the shoulders and sidewalks.

b. A request was received from a Carthage resident that they be allowed to be included in the Dixfield Cable TV franchise as the line passes by their house. It was agreed to refer the resident to Time Warner.

**10. Public Comment: none**

**11. Board Questions and Comments: none**

**12. FYI:** As noted on Agenda

**13. Next Meeting:** The next meeting of the Board will be held on Monday Sept. 28 at 5:30 pm at the Ludden Library.

There will be a Special Town Meeting preceded by a Public Hearing on Oct. 1, 2015 at 6:00 at DHS

**14. Executive Session:** The stated Executive Session was canceled because the person involved was not present.

**15. Adjournment:** Mr. Mitchell made a motion to adjourn which was seconded by Mr. Whittemore with all in favor at 8:40

Respectfully submitted,  
Norine H. Clarke, secretary  
nhc/nhc