

**MINUTES
BOOTHBAY HARBOR
SELECTMEN'S MEETING
JANUARY 12, 2015**

ATTENDING: Denise Griffin, Chairman
William Hamblen
Russ Hoffman
Jay D. Warren, Vice Chairman
Wendy Wolf

Thomas Woodin, Town Manager
Julia Latter, Finance Officer

Chairman Griffin called the Board of Selectmen's meeting to order at 7:00 pm.

Pledge of Allegiance: The Board of Selectmen and members of the audience.

TOWN MANAGER'S ANNOUNCEMENTS:

1. Manager Woodin, as an update, stated there had been another meeting last week between himself, Denise Griffin, Eileen King, Larry Colcord, Steve Lewis, Jim Chaousis and Chris Buchanan to discuss the School Charter in order to clean up the outdated verbiage.
2. Chairman Griffin stated because of the Boothbay Harbor Selectmen's fiduciary responsibility to the taxpayers, they should be aware of the two important sections which are the capital budget and the annual operating budget of the Charter. Chairman Griffin explained that the capital budget is actually shared between the two towns by a 60/40 percent split (Boothbay/Boothbay Harbor respectively). Chairman Griffin stated the annual operating budget which is the majority of the total budget is based upon the pupil ratio per town and since the pupil ratio of Boothbay Harbor has been declining over the past couple of decades, Boothbay is paying a greater portion of this which they do not like and are suggesting Boothbay Harbor pay more than their fair share.

Selectman Hamblen agreed with Chairman Griffin but stated he did not see a rationale for changing the allocation of the costs.

Selectman Wolf stated on the surface per pupil assessment seems most fair and reasonable.

Selectman Warren stated he agreed with Chairman Griffin as well and remembered when that Charter was written at which time Boothbay Harbor had the larger number of pupils and paid more than Boothbay.

Manager Woodin pointed out that both towns would have to vote on a change and pass it in order for it to go through.

FINANCIALS:

Finance Officer Latter reviewed the financial totals with the Board, stating taxes would be coming in soon on March 11th.

CONSENT AGENDA:

Chairman Griffin stated they had approval of the minutes of the December 8th and 22nd meetings and the renewal of Mr. C's liquor license on the consent agenda. Selectman Wolf **motioned** to approve the consent agenda. Selectman Hamblen **seconded**. **Unanimous approval.**

ONGOING BUSINESS:

1. Chairman Griffin reminded Manager Woodin that she was looking for an estimate to have Bernstein Shur update their personnel manual. .
2. Chairman Griffin stated a couple of meetings ago they had talked about getting a more formal time clock for town hall. Manager Woodin asked how sophisticated they wanted it to be in order to narrow down the search. Chairman Griffin responded a time clock that just punches the time might be the best. Selectman Wolf stated she'd like to see several options.
3. Chairman Griffin asked how Manager Woodin was doing in the search to find a new auditor. Manager Woodin stated he had a draft RFP for auditor services, to match up with the scorecard she has put together, ready to go in the paper.
4. Chairman Griffin stated she had not received any financial updates from the Boothbay Regional Ambulance Service for the past two quarters and hoped to see something before it comes up in the budget committee. Manager Woodin responded all he'd heard was they were still having trouble with their auditor and confirmed they'd paid out \$107,000 of the \$164,000 that had been authorized and that the last statement submitted had been in June.

NEW BUSINESS:

1. Chairman Griffin stated the first item under New Business was Registrar Reappointment.

Manager Woodin explained that the term of the Registrar of Voters went according to the calendar year rather than the fiscal year and that Michelle Farnham had asked to be reappointed. Selectman Hoffman **motioned** to reappoint Michelle. Chairman Griffin **seconded**. **Unanimous Approval.**

2. Chairman Griffin asked Douglas Carter to explain why he had requested to come before the Board of Selectmen.

Douglas Carter introduced his wife Rebecca and then explained the reason he was there was because on October 2nd, 2013 he had purchased a piece of land for \$32,000 from the town, that was located in lobster cove.

Douglas stated they had cleared the land of an old trailer and three dumps in order to build a one story house in which they intended to retire. Douglas stated he'd hired surveyor, Terry Leighton

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to survey his lot before putting in the septic system and discovered that due to a prior survey conducted by the neighbor, his 1 1/3 acre lot was only then only 1 acre and too small for the house they had planned to build. Douglas stated when they researched the real estate taxes they had been paid a rate for a 1 1/3 acre lot for over one hundred years. Douglas stated he'd hired two other surveyors who gave him the same answer.

Douglas stated he did not blame the town because nothing had ever been registered.

Douglas stated he approached Joan Riddle who had the 1/3rd acre piece that he needed to build his house on, who asked him for \$15,000 for the piece.

Chairman Griffin responded that the land may well be over assessed and that would mean the tax map was wrong.

Selectman Hamblen asked if the boundaries in the deeds throughout the years were consistent throughout the years, to which Douglas responded they were.

Douglas stated what he'd like from the town was \$10,000 which he could use to try to purchase the 1/3 acre piece from Joan Riddle and if she would not take it then that is what it will cost to excavate the ledge for the septic system because he was not going to pay her more for the piece of land than it was worth.

Chairman Griffin stated that basically he was asking the town for \$10,000 to buy a piece of land to build your house on.

Douglas responded he'd paid \$41,600 when they needed \$43,000 minimum bid which included back taxes and to compensate what you owed people. Douglas said the second highest bidder was at \$25,000, \$16, 600 less than his so he was only asking them to make a wrong what they didn't know they were doing and after they'd collected more taxes than you should have for over one hundred years.

Chairman Griffin stated he may be right but now the tax assessment was at \$82,500 which is almost double what he'd paid for it.

Douglas stated anyone who knows real estate knows that lot is not worth \$82,500.

Selectman Hoffman asked what was the size of the lot that he'd purchased to which Douglas responded he was told was a 1 1/3 acre lot.

Chairman Griffin asked Douglas why he did not have the land surveyed before he purchased the lot instead of after it.

Douglas stated that surveying costs thousands of dollars and that he trusted the town.

Selectman Hamblen stated the reason he'd asked the question he did earlier is because if the deeds have been consistently correct all along, it is the gold standard when property is transferred that matters...not the tax map, and the town gave you what the deed said.

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Douglas Carter stated he liked what Chairman Griffin said in the beginning about having a responsibly to the taxpayers of Boothbay Harbor because he was a taxpayer to the tune of \$20,000 per year between his business, personal property and this lot and wished she thought she had a responsibility to him because she sold him something that was less than what it was supposed to be which he had paid top dollar for.

Selectman Warren asked Douglas to look at page nine of the bidding sheet that says "all properties being offered are as is."

Selectman Wolf asked Douglas if the 1/3rd acre belongs to him.

Douglas Carter responded the trouble is the boundaries are designated by rods not footage and that is why Chet Riddle in 1973 was able to get a survey which includes that 1/3rd acre.

Manager Woodin read the whole paragraph that describes the policy of property sales.

Selectman Wolf asked if Douglas Carter, if he felt he'd bought something in good faith, would be satisfied to get the money back for the property (if it were legally possible). Douglas responded that he would.

Selectman Hamblen asked if the setbacks were preventing Douglas from doing what he wanted to do he could go before the Board of Appeals.

Douglas responded that the house, as it was planned, would still not fit.

Bruce Engert stated it was the perception; that Douglas had acted in good faith so we owe him for 1/3rd of an acre that he didn't get.

Chairman Griffin stated they had heard Douglas Carter's presentation and it was clear they were not going to reach a decision that evening so would table it for two weeks until the next meeting.

[As Rebecca Carter was leaving she turned and stated to the Board that she really wanted the land.]

PUBLIC FORUM:

1. Frank Fassett expressed frustration about getting the cost of a video system to live stream meetings for Boothbay Harbor.
2. Bruce Engert asked for financial information concerning legal counsel for Manager Woodin during the previous meeting when the former Public Works Director had his hearing and was reminded he himself had established the protocol for things like this when he was Chairman of the Board of Selectmen.
3. George Friant sympathized with Douglas Carter's case.
4. Frank Fassett also sympathized with Douglas Cartier's case.

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5. Doug Hayner felt Douglas Carter's case should be addressed as a moral issue and treated with fairness.

6. Mike Tomko spoke of the loss of Planning Board member, June Phillips, who had passed away recently.

EXECUTIVE SESSION:

Chairman Griffin stated they were going back into Executive Session under MRSA section 405 (6) (A) – Personnel Matters at approximately 8:14 pm.

The Board came out of Executive Session at 9:33 pm and Chairman Griffin stated no decisions had been made during the Executive Session.

WARRANTS:

Selectman Hamblen **motioned** that the warrants be approved upon review. Selectman Wolf **seconded. Unanimous approval.**

MOVE TO ADJOURN:

Selectman Wolf **motioned** to adjourn. Selectman Hamblen **seconded. Unanimous approval. Meeting was adjourned at 9:35 p.m.**

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