

**Town of Auburn  
Board of Selectmen  
January 18, 2016**

**Selectmen Present:** James Headd, Richard Eaton & Dale Phillips

**Also Present:** Dan Tatem, Stantec Consulting; Alan Villeneuve & Keith LeClair, Auburn School Board, John & Mary Ann Rolfe, Mike & Linda Dross, Dennis & Pauline Vieira, Michael Rolfe, Paula Marzloff, Tom Gonyea, Mike DiPietro and Sue Jenkins, Residents; Ray Pelton, Police Lieutenant; William Herman, Town Administrator; Kathryn Lafond, Recording Secretary

Mr. Headd called the meeting to order at 7:04 p.m. and lead the audience in the Pledge of Allegiance.

**Approval of Payroll for Week of January 11<sup>th</sup>, 2016**

***Mr. Eaton moved to approve the Payroll Manifest in the amount of \$37,646.12 for the week of January 11<sup>th</sup>, 2016; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

**Consent Agenda – Week of January 18<sup>th</sup>, 2016**

Warrant for 2016 Town Meeting

January 30, 2016 Deliberative Session

March 8, 2016 – Second Session – Voting by Ballot

2016 Default Budget (to be posted with Warrant)

\$5,087,445

Pistol/Revolver License

Twenty-four (24)

***Mr. Eaton moved to approve the Consent Agenda as presented; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

## **Bruce Phillips, Fire Chief – Emergency Operation Plan**

Fire Chief Phillips was not present.

## **Elmer Pease & Don Duval, Duval Survey – Raymond Road**

Mr. Pease and Mr. Duval were not present. Mr. Headd indicated that Mr. Pease has asked to postpone meeting with the Board to another date.

## **Stantec Consulting – 663 Raymond Road Contamination Investigation**

Mr. Tatem recapped that 3 soil samples were previously taken and the results indicated that there was likely numerous releases of oil or diesel fuel in the area however the concentrations were below the State's threshold that would require soil remediation. Mr. Tatem summarized that due to the finding of the right of way being 66 feet rather than 50 feet, the town directed Stantec to conduct more samples. Mr. Tatem stated that this was done on December 10<sup>th</sup>, 2015 and four additional soil samples were collected along the frontage of the property within the town's right of way. The results of the samples again indicate contamination levels at below State threshold limit however samples near the driveway resulted in higher levels, one being only 3% below the threshold for remediation. According to the State standards no action is necessary if the soil is left undisturbed, if the town proceeds with reconstruction of Raymond Road in this area the town will need to address removal and proper disposal of the contaminated soils with the property owner.

Mr. Eaton indicated that the property owner should be responsible for paying for the cleanup, perhaps the property owner could do some of the work under the supervision of Stantec. Mr. Eaton also suggested that the Selectmen determine a deadline for completion, maybe July or August 1<sup>st</sup>. Mr. Tatem informed the Board that Stantec recommends that the cleanup efforts include sweeping the driveway and excavating 1 foot in depth, a 10 foot by 22 foot right of way on both sides of the driveway and excavating another 8 foot swath along the property.

Mr. Dross asked what's to say it won't happen again. Mr. Eaton noted that the Board could provide additional educational information to the property owner but the cost of cleaning the area up may be enough to prevent an ongoing issue. Mrs. Marzloff asked about a public notice on the property through the Registry of Deeds. Mr. Tatem cautioned that course of action due to the contamination being below the States threshold, it is technically not a contaminated property.

Mr. Dross asked if the property owners' driveway would need to be removed to remediate the area. Mr. Tatem replied that removal is not necessary but cleaning and sweeping of the driveway is recommended to prevent runoff.

Mrs. Phillips questioned how the town would seek payment from the property owner if the town completes the cleanup work. Mr. Tatem suggested that the town could perform the excavation so the town has the control over what materials go in and out and the property owner could truck the materials to Turnkey and get a receipt as proof of proper disposal, this would reduce the cost to the property owner and the town would only have to bill the property owner for the excavation time. Mr. Tatem noted that Stantec could be onsite for record and documentation if the town would like as well. Mr. Eaton stated that he would like Stantec onsite during the cleanup process. The Board was agreeable to the course of action proposed for the cleanup. Mr. Dross noted that he and likely the other subcontractors employed by the town would not do the work. The Board agreed that Stantec could recommend someone else to perform the excavation of the area.

Mrs. Phillips suggest that if the property owner changed his vehicles oil elsewhere this would prevent future contamination issues. Mr. Eaton reiterated that the town could provide educational material relating to the matter to the property owner. Mr. Eaton asked if the removed material needed to be replaced with gravel. Mr. Dross commented that if the area was out of the roadway, sand is ok. Mr. Eaton suggested that the town require whatever Stantec recommends. Mr. Tatem suggested gravel for the first 8 feet in from the roadway and sand for the rest. Mr. Eaton suggested that the property owner pay upfront for Stantec fees and the excavation. Mr. Tatem stated that Stantec would draft their recommendations for remediation in letter form and the cost could be included.

Mr. Vieira commented that he attended the soil sample meeting on site and the property is a mess, he feels that this will happen again due to the property owners' methodology. Mr. Headd estimated that the cost of this remediation may be enough to incentivize better practices. Mrs. Marzloff noted that as a residential property all the Board can do is make suggestions, the property is not subject to site plan. Mr. Tatem proposed that if the Town wants to determine a deadline for cleanup completion they should address that in a letter to the property owner. Mr. Eaton would like the Board to determine a date and include it in a letter to the property owner along with Stantec's recommendation and estimated costs.

## **New Business**

### Appointment – Inspectors of the Election

***Mrs. Phillips moved to appoint Kathleen A. Sylvia as Assistant Clerk of the Election and to appoint Dorothy Carpenter, Patricia Rousseau, Terry Coll, Karen Garon, Denise Royce, Feria Hanscomb, Mary Ann Rolfe, Judith Minakin and Eve Mongeau as Inspectors of the Election, terms to expire in July 2016; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.***

Appointment – Library Trustee

***Mrs. Phillips moved to appoint Elizabeth A. Michaud as Library Trustee, Term to expire March 2016; Mr. Eaton seconded the motion; all were in favor, the motion passed unanimously.***

**Auburn School Board – Auburn Village School Project**

Mr. Villeneuve passed out copies of the proposed renovation to the Auburn Village School, along with highlighted questions and answers regarding the project. Mr. Villeneuve stated that after the last meeting with the Board, feedback was heard and the School Board looked into a 30 year bond and reducing the project costs. This resulted in a reduction to a \$23.1 million dollar bond which would equate to \$2.06 per thousand tax impact for the 30 years term. Mr. Villeneuve stated that \$23.1 is a guaranteed maximum cost. Mr. Gonyea asked how many classrooms would be added. Mr. LeClair stated 3 immediately, 2 more with the renovations to the current building and then a possibility for four more in the future. Mr. Gonyea asked if furniture, etc. to outfit the new classrooms is included in the \$23.1 million or in the operating budget. Mr. Villeneuve explained that in general every year the school budgets for buying some new furniture but the school will repurpose what they already have to use in the new classrooms.

Mr. Gonyea asked about the new proposed cafeteria. Mr. Villeneuve indicated that the new proposed café will have new appliances, etc. but they will still use the tables that they currently have. Mr. Dross brought up plowing of the school facilities and Mr. Villeneuve went on to describe the new proposed parking areas and traffic pattern, noting that there will be 50% more parking spaces. Mr. Vieira asked if the proceeds from the sale of the property that the school has for sale will be used to pay down the bond. Mr. LeClair stated that a Warrant Article will be proposed in March that would put the proceeds in a trust fund for the purpose of softening the tax impact; either in one year or over the course of a few years. Mr. Vieira asked what the asking price for the land is. Mr. LeClair stated \$1 million. Mrs. Jenkins asked for clarification, she thought the estimated tax impact for the original \$25 million bond was about \$2.00 per thousand. Mr. LeClair

indicated that it was over \$3.00 per thousand, the project was reduced by 4 classrooms to reach the \$23.1 million figure.

Mr. Villeneuve stated that this proposal adds no new programs or frilly things, the School Board has looked at making it as affordable as it can be and they are looking to the Board of Selectmen for any other suggestions. Mr. Eaton indicated that the Board of Selectmen has done a good job over the years keeping the tax rate down and the town debt free, he would like to see this project only have an impact of \$1.00 per thousand. Mr. Eaton continued that the town has also done a great job reconstructing roads and thinks that in the coming years a full \$800,000 budget for Road Reconstruction won't be necessary, he would advocate moving \$600,000 from road reconstruction to debt service to lessen the tax burden. Mr. Eaton commented that the School Board has done a good job with the proposed plan and he would like the town to get the necessary renovations done. Mr. Villeneuve reiterated that construction costs, etc. will increase in the next 5 plus years so now is really the best time to complete the renovations. Mr. Villeneuve felt that unless the Board of Selectmen were going to commit to a funding idea as Mr. Eaton suggested the voters could not count on a lesser tax impact.

A gentleman from the audience relayed that he toured the school and it was very informative, the kids giving the tour pointed out issues with the school that he would not have thought of. The gentlemen commented that a lot of thought and repurposing was put into the proposed plan. Mrs. Phillips commented that it is a good plan and now is the time to bite the bullet, hopefully savings will be found and the final cost can come down. Mr. Eaton reiterated he would like the Board to look into shifting funds around. Mr. Headd commented that the Board could give it some thought. The Board stated their support of the proposed plan for the school.

## **Other Business**

Mr. Michael Rolfe congratulated the Dross' and indicated that after attending the recent court proceeding he is concerned with the actions of members of the Police Department surrounding the investigation and case against Mr. Dross as well as with the testimony from individuals called by the prosecution.

Mr. DiPietro asked regarding the management study that was brought up a few years ago. Mr. Headd believed that was something to be done by the Police Commission so should be taken up with them. Mr. Herman commented that a prior Board of Selectmen sought a price for a management study and it had been budgeted for, he could provide the information to the Board for their review.

Mr. Rolfe asked if the Board of Selectmen would take action against Mr. Darren Wetherbee. Mr. Headd indicated that the Board of Selectmen would be seeking the advice of their legal counsel.

Mr. Vieira stated that what has happened here is a travesty and echoed Mr. Rolfe's concerns regarding behaviors of members of the Police Department over the course of the last 28 months. Mr. Rolfe questioned what the Board intended to do now. Mrs. Phillips stated that she has some thoughts and would like to take them up with her colleagues and legal counsel. Mr. Headd assured Mr. Rolfe that the Board will address the matter, it won't be put aside.

## **Minutes**

### January 4<sup>th</sup>, 2016 Public Meeting

***Mr. Eaton moved to approve the minutes of the January 4<sup>th</sup>, 2016 Public meeting as written; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

### January 4<sup>th</sup>, 2016 Non-Public Meeting

***Mr. Eaton moved to approve the minutes of the January 4<sup>th</sup>, 2016 Non-Public meeting as written; Mrs. Phillips seconded the motion; all were in favor, the motion passed unanimously.***

***Mr. Headd moved to adjourn; Mr. Eaton seconded the motion; all were in favor, the public meeting ended at 8:12 p.m.***