



Town of Eddington

906 Main Road Eddington, Maine 04428

SELECTMEN'S MEETING MONDAY January 9th, 2017 6:00 P.M. MINUTES

CALL TO ORDER & FLAG SALUTE: Mike Shepherd called the meeting to order at 6:00 p.m.

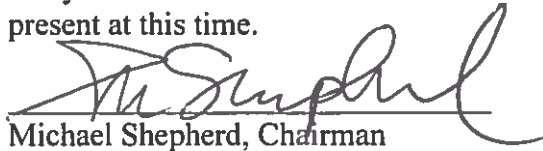
ROLL CALL: All Selectmen present, M. Carreira arrived at 6:40p.m.

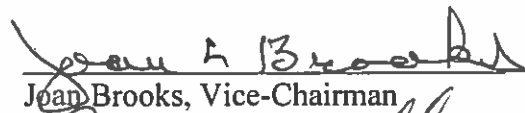
MINUTES: Minutes of the meeting on November 15th, 2016. **A motion was made, seconded and passed to accept as written.** J. Powell / R. Wood **Vote 4-0**

PUBLIC ACCESS: Peter Lyford thanked the residents for a second term, as state representative. He would like to see a 6 month moratorium on the Marijuana Retail Establishments, Stores and Social Clubs. He feels there are still a lot of unanswered questions at the State level. Lyford further stated that it was a 28 page bill, with opposition on both sides, pointing out that the towns he represents did not vote in favor of the bill, during the November Election. Lyford said he is on the IFW Committee again this term and he and his wife, Marcia, would personally like to donate a check for \$300.00, which will fund a dozen (12) fishing or hunting licenses to residents in town. **A motion was made, seconded and passed to accept the donation from the Lyford's.** R. Wood / M. Shepherd **Vote 4-0.**

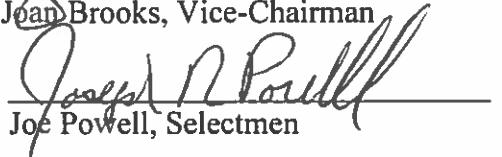
Frank Arisimeek said he didn't read the agenda but had heard that there was something regarding Anthony Melanson's lot on Sprucewood. Arisimeek feels that it was already taken care of and is worried that the town will have some serious repercussions with all the "private" meetings and agendas, because in his opinion, they are conflicts of interest. Arisimeek said he doesn't understand why all this can't be discussed under a regular meeting, he is tired of all the closed meetings. Mike Shepherd tried to explain the process.

Theresa Woznik asked if there would be a quorum to even discuss road subjects if Mike Shepherd and Mark Carreira recuse themselves from them. Shepherd said they can discuss but not be part of a vote and yes he would recuse himself from the Executive Session, he could not speak for Mark as he was not present at this time.


Michael Shepherd, Chairman


Jean Brooks, Vice-Chairman

Mark Carreira, Selectman


Joe Powell, Selectmen


Ray Wood, Jr. Selectman

Hilma Adams told Mike Shepherd that under the ethics policy he can't vote or discuss the Melanson issue and thinks that someone else should take over the meeting. She wanted to know who asked for the Executive Session. Russell tried to explain the process, adding that Mark Carreira had emailed him regarding the need for Selectmen to meet and make a decision due to time constraints. The Selectmen are the governing board of the town.

Cindy McDonald-Melanson is concerned that the meeting was called by the board because the town's attorney wrote a letter that was sent to the Selectmen for review, then the board decided to have an executive session? Cindy believes the only two parties able to appeal to superior court would be Anthony Melanson and Charlie Norburg, the Towns Code Enforcement Officer. Cindy believes the town's attorney, Charles Gilbert, has a conflict of interest.

Anthony Melanson wanted to know how M. Carreira can request a meeting if he can't vote on it and if the attorney is making his own work. Melanson feels that a lot of this is being requested by the Selectmen who aren't even able to vote, adding that this is why people feel like there corruption in town.

Doug Holland referred to the fact that Charlie Gilbert kept stating "I", yet said he was representing the Code Enforcement Officer. Did Charles Norburg ask for legal representation? Holland requested the amount paid to Charles Gilbert over the past two years for legal fees.

Joan Brooks told Mike Shepherd since he owns land within 500ft of Melanson, he needs to recuse himself and isn't sure he can even go in to Executive Session. Hilma Adams told him the same and said he should step down, right now.

Charles Grover, Jr. said Michael Shepherd can stay there, due to the fact its Public Access, and when it becomes an executive session, he would need to step down.

It was pointed out by Charles Grover, Jr., that it was M. Shepherd who voted to reduce the attorney fees budget line to \$15,000.00, then asked what gives him the authority to appeal the Appeals Board decision? The final say is at the Appeals Board level, not the Selectmen.

Frank Arisimeek and Hilma Adams both suggested sending Attorney Charlie Gilbert home, that he was not needed at this meeting, nor was there a need for an Executive Session. Adams told Mike Shepherd to step down as chairman, for this meeting.

UNFINISHED BUSINESS: None

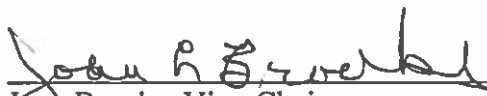


Michael Shepherd, Chairman

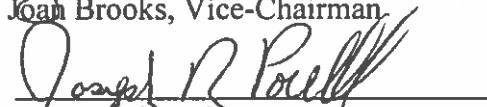
Mark Carreira, Selectman



Ray Wood, Jr. Selectman



Joan Brooks, Vice-Chairman



Joe Powell, Selectmen

EXECUTIVE SESSION: Motion to go into Executive Session at 6:35 p.m., Pursuant to 1 M.R.S.A. §405 (6) (E) Consultation with Attorney, regarding Pending Litigation on the Appeals Board decision on Melanson Property. R. Wood / J. Powell Vote 2-1.
(J. Brooks opposed)

A motion was amended, replacing the word "Pending", to "Contemplated" Litigation in the original motion. R. Wood / J. Powell Vote 4-0.

Cindy raised her hand, calling a point of order, stating she believes it is illegal to enter into Executive Session without the other attorney as well as Charles Norburg.

Mike Shepherd recused himself from the Executive Session at 6:35 p.m.
Mark Carreira arrived at 6:40 p.m., also recused himself from the Executive Session.

Motion to close Executive Session at 6:55 p.m. J. Powell / R. Wood, Jr. Vote 3-0.

Motion to go back into Regular Session at 6:56 p.m. J. Powell / R. Wood, Jr. Vote 3-0.

A motion was made, seconded and passed to accept the decision of the Board of Appeals. J. Powell / R. Wood, Jr. Vote 3-0.

NEW BUSINESS: Board of Appeals Decision regarding Melanson Property – The Board decided not to appeal the Appeals Boards decision.

Legal Marijuana & Municipalities, Sample Moratorium and Ordinance – This item was a request of our Resident and State Representative, Peter Lyford. Charles Gilbert said the State has up to nine months to set laws and regulations. Gilbert also mentioned that being nine days away from a new administration, there could be a change in federal enforcement as well. Gilbert explained that ultimately it's going to be a Land Use / Zoning issue, recognizing that the Planning Board currently has a full plate, it would most likely default to them as a zoning issue, where there could be applications for retail stores, etc. Selectmen M. Carreira is ok with a Moratorium and letting the townspeople vote later. Selectmen M. Shepherd doesn't want to do anything at this time. Selectmen J. Brooks suggested tabling it until the next meeting. **A motion was made, seconded and passed to table the subject until the meeting of January 17th, 2017. J. Brooks / J. Powell Vote 4-0.**

OTHER BUSINESS: Eddington & Bradley vs. EMERA – Rule 80B Appeal, February 7, 2017 at 9:30 a.m. in Augusta – Update only, no action needed.

Next Selectmen's Meeting Date – Tuesday, January 17th, 2017 at 6:00 p.m. – Info Only.


Michael Shepherd, Chairman


Joan Brooks, Vice-Chairman

Mark Carreira, Selectman


Joe Powell, Selectmen


Ray Wood, Jr. Selectman

WARRANTS: A motion was made, seconded and passed to sign warrants.

M. Shepherd / J. Powell

Vote 5-0.


PUBLIC ACCESS: Cindy McDonald-Melanson would like to see the Selectmen hold a Special Town Meeting to discuss ordinances and the impact that they have on the town. She feels that people do not understand the rules and regulations and a public meeting may help.

Doug Holland suggested looking into a Time Warner Broadcast of all Town Meetings, so all citizens can watch, if they cannot attend in person. He will have information within a couple of months.

ADJOURNMENT: A motion was made, seconded and passed to adjourn the meeting at 7:12 p.m.

J. Powell / M. Shepherd

Vote 5 - 0.

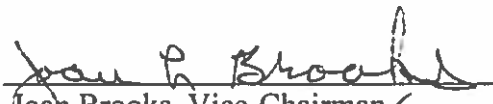


Michael Shepherd, Chairman

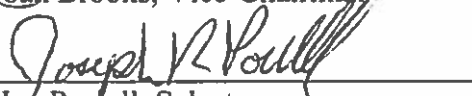
Mark Carreira, Selectman



Ray Wood, Jr. Selectman



Joan Brooks, Vice-Chairman



Joe Powell, Selectmen

(these minutes are a summarization of the Meeting, they are not a transcript. Meetings are recorded and can be made available, if someone wishes to listen to all discussions and all comments made)