



# Town of Eddington

906 Main Road Eddington, Maine 04428

Selectmen's Meeting  
Tuesday  
March 17<sup>th</sup>, 2015  
5:30 P.M.

## MINUTES

**EXECUTIVE SESSION:** Motion to go into Executive Session Pursuant to 1 M.R.S.A. § 405 (6) (E) Consultation with Town Attorney. Adjourned at 6:30 p.m.

**CALL TO ORDER:** The Regular Selectmen's Meeting was called to order at 6:35 p.m. by Joan Brooks.

**ROLL CALL:** All members present.

**MINUTES:** Minutes of December 16<sup>th</sup>, 2014, January 6<sup>th</sup>, February 24<sup>th</sup> & 27<sup>th</sup>, March 3<sup>rd</sup>, 2015. Unavailable & tabled until next meeting.

**PUBLIC ACCESS:** Gretchen Heldmann – Read a letter she wrote after the February 24<sup>th</sup> Meeting RE: I395 Resolve. (copy to be attached to minutes, as a record)

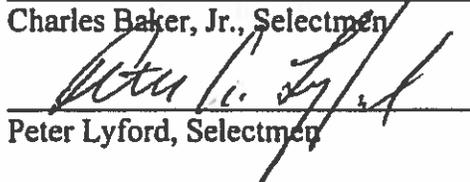
Andrew Hamilton – There is a deficiency in the notice associated with the proposed amendment in the addendum ordinance for MEO. After going over their notes they noticed that during both Public Hearings held on February 10<sup>th</sup> & 12<sup>th</sup>, under Sec. 108.2.2 (Amendment Div.) Proposed amendments on those two versions stipulated 1000ft. And on February 17<sup>th</sup>, it was stipulated as 1500 ft. He requested that the board look into this.

Ralph McLeod – He thinks the 1500ft setback is moderate, considering many would like to see it even higher. Let them take it to court, he doesn't believe there is a case

Tim Woodcock – Provided material at last meeting, including numbers and explanation for rational for those numbers. 1500ft setback, encroaches considerably on this project. Regulatory taking standards were explained here and in the packet submitted by Hughes counsel, court case references included. What the court will be looking at, with respect to the rational of the 1500 ft., is the substantial public purpose, which must be reasonably necessary to the effectuation of the goal. And there now is none.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

108.2.2 Setback – Charles Baker, Jr. suggests asking the towns’ attorney about this. Regarding Mr. Hamilton’s reference to setbacks being 1000 ft.

Ray Wood – When the setbacks were changed, so were the decibels, so it’s tit for tat, if one can be changed, something else needs to change.

James White – He is comfortable with the 1500 ft. and there are more people to worry about than just Hughes Bros. Why not put together a packet at 1000ft. and one at 1500ft, and let the townspeople have their say. It hasn’t been voted on for the 1000 ft., can’t the town modify anything? No, there is a proper procedure to do so. Joan Brooks explained the procedure, with assistance from Charles Gilbert.

Frank Arisimeek – He will be standing with Hughes Bros. if the 1500 ft. goes into effect. It will be the 3<sup>rd</sup> time the town has devalued his property without just cause.

Russell submitted a letter from Susan Shane RE: I395 Resolve, voted at the February 24<sup>th</sup>, 2015 meeting. (a copy attached, as record).

**PUBLIC SAFETY REPORTS:**

Fire: Chief Ellis gave his February report, which included approximately 50 calls. Updated the board on repairs for Rescue Unit #328

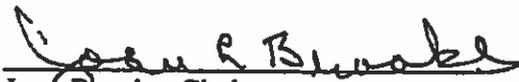
Ellis was asked last month to look into some options, and he submitted a letter from Autotronics, which is a dealer of EMS Vehicles. Copies of letter were given to the board members. Ellis ran through some basic figures regarding replacement and/or repair, for the existing truck, all of which are not feasible, in his opinion. Chief Ellis encouraged the board to enter into a contract with Autotronics to obtain a loaner unit. The cost would be \$500.00 monthly, for 12 months.

A motion was made, seconded and passed to authorize the town manager to sign the lease agreement with Autotronics. C. Grover, Jr. / Charles Baker, Jr. Vote 5-0.

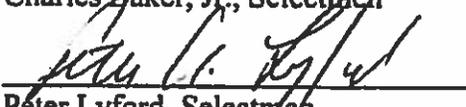
Police: Deputy Mason gave his report for February, adding that it had been a normal month, no big news to report. He spoke of a recent speed detail he had done in the town, funded by the county, which resulted in 11 Citations.

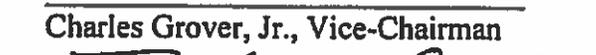
**ANIMAL CONTROL REPORT:** No calls to report

**SCHOOL BOARD REPORT:** – Rusty was not present to give her report this month.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman  
  
Michael Shepherd, Selectmen

**UNFINISHED BUSINESS:** Zoning Ordinance & Mineral Extraction Addendum, Public Hearing set for Thursday, March 19<sup>th</sup>, 6:30 pm at the Eddington School. (Info only, no action needed)

Special Town Meeting – Thursday, April 2<sup>nd</sup>, 6:30 pm at the Eddington School. (info only)

**NEW BUSINESS:** Annual Town Meeting dates –  
Municipal Officers Election, June 9<sup>th</sup>, 2015.

Town Meeting, June 23<sup>rd</sup>, 2015. A motion was made, seconded and passed to accept the dates as presented. C. Grover, Jr. / M. Shepherd Vote 5-0.

Sign Quit Claim Deed – A motion was made, seconded and passed to sign the quit claim deed presented by Russell Smith. C. Grover, Jr. / C. Baker, Jr. Vote 5-0.

**WARRANTS:** Sign warrants for March, 2015. M. Shepherd / C. Grover, Jr. Vote 5-0.

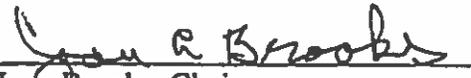
**PUBLIC ACCESS:** Andrew Hamilton referred back to the notice on file being in violation, adding that there is confusion in the addendum, where the 1500 ft setback is concerned. He believes the town has violated notice rules.

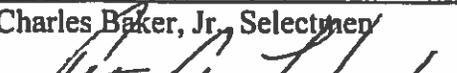
Janet Hughes – Spoke about how she believes this moratorium and its sudden changes is all about the Hughes Bros. project. How she has been here for a solid year and in the very last hour the board changes the setbacks while she was 3000 miles away, with no reasoning at all.

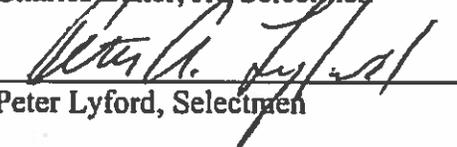
Ralph Mcleod – The town stands to lose 4.3 million dollars in value with the devaluation of properties effected by this project.

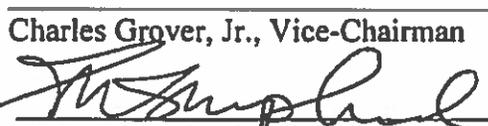
Andrew Hamilton – Ralph Mcleod has no basis or supporting documents for his claim.

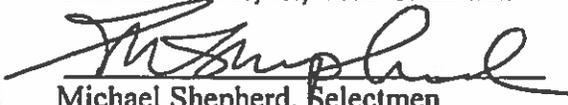
**ADJOURNMENT:** A motion was made, seconded and passed to adjourn at 7:37 pm.  
C. Grover, Jr. / C. Baker, Jr. Vote 5-0.

  
Joan Brooks, Chairman

  
Charles Baker, Jr., Selectmen

  
Peter Lyford, Selectmen

  
Charles Grover, Jr., Vice-Chairman

  
Michael Shepherd, Selectmen

17 March 2015

Eddington Board of Selectmen  
906 Main Road  
Eddington, ME 04428

Dear Board of Selectmen:

What happened at the Selectmen meeting on 24 February 2015 regarding the I-395/Rt 9 Resolve was disgusting. I have some things I want to point out regarding the comments made and votes taken by Selectman Baker, Selectman Shepherd, and Selectman Lyford.

Selectman Baker has signed the previous two Resolves against 2B-2. He has also made statements about how we should conduct our own vernal pool studies to compare to the MDOT's questionable vernal pool analysis, in an effort to fight the 2B-2 route and make sure that 3EIK-2 was rightly removed from consideration. Now, during this meeting, Selectman Baker took a fatalist attitude that we are just 'standing in the mud waiting for the bulldozer to run us over.' Why this sudden change? I could understand giving up hope and that signing the Resolve will not do anything – but then to turn around and sign a Resolve in favor of 2B-2? Seems odd.

Selectman Shepherd began discussion on this item by saying he had heard from as many people for the connector as against, so he could not support the Resolve. How then, can he turn around and propose a reverse wording of the Resolve, to then be in favor? He should have taken no action, if he has indeed heard from an equal amount of people on both sides. Why did he take action in favor? I also want to point out that when he was on the Planning Board, he supported the Resolve against the 2B-2 option, as at that point he understood the underlying implications regarding effects on our zoning and future development in town along Rt. 9. If he has heard from as many for as against, he should have taken no action and recused himself.

Selectman Lyford, who also serves as our State Representative, has a direct personal interest as he lives on Rt. 46. He asked Clifton to support 2B-2. He has testified 'vehemently in opposition to LD 47' according to the MDOT press release, and he has been interviewed in the media where he has made statements against LD 47. As a reminder, LD 47 was the bill submitted by Representative Verow of Brewer, a Resolve to direct MDOT to remove 2B-2 from consideration. Selectman Lyford was the one that made the motion on this Selectmen agenda item to reverse the content of this Resolve to read in favor of 2B-2. Based on these facts, a reasonable person could assume that he has a direct personal interest. Selectman Lyford also owns or is closely associated with a hydroseeding business, and on the business website it states multiple times throughout that they 'work extensively on MDOT State projects.' Therefore, a reasonable person could also assume there is some possible financial interest Selectman Lyford has in this proposed connector project. At what point are these items considered over the line and a direct conflict of interest in terms of the Town of Eddington Ethics Policy? I believe Selectman Lyford should have recused himself from voting on this item. These points should be reviewed, and if it

is found there is a possibility of conflict, then the vote on this item should be rendered dead, as a 2-2 vote means the item does not carry. If there is no conflict, then Selectman Lyford should also have no problem signing a statement to that effect.

In general, I find it hard to believe that any of the Selectman have heard from more than 390 people that are in favor of the 2B-2 connector. There were over 390 people that signed a citizen petition against the 2B-2 option. At the public hearing held in May 2012 there was not one single person that stood up in favor of the 2B-2 option. There was also nothing wrong with the Town Manager stating this fact during the last meeting. It is no different than Selectman Lyford pointing out facts about the safety issues on Rt 46 during the last meeting.

Never in my entire decade career of municipal work have I seen what occurred at this meeting. I have never seen an agenda item presented containing content "Z" that is then modified so substantially to read content "A" that content "A" is then immediately voted on during the same meeting, with no opportunity for the public to comment. Procedurally, the normal course would be to vote on content "Z" and then send back the item for revision to read "A", and present that at the next meeting. You effectively removed all public input into that agenda item by so substantially changing the content. Was this technically legal? Perhaps. Was it ethical? I don't think so. This is the type of action that angers people and deters them from even trying to participate in the system. However, I know I have heard at least one Selectman state multiple times they wish more people would come to meetings and participate. Selectman Baker stated during the discussion on this item something to the effect of 'well it is the Federal/State Government so they are just going to do what they want anyway.' This was reinforced by other Board members stating that the Federal government and politicians have just been sticking it to us over the years. Well, congratulations, Eddington Selectmen, this action you took is just as slimy as some fed actions, and you have successfully participated in and perpetuated the exact same behavior you claim to despise.

I hope in the future you seek to improve how you represent the entirety of the citizens of the Town of Eddington. Thank you for your time.

Sincerely,

Gretchen Heldmann