

# TOWN OF CHINA

571 Lakeview Drive  
China, ME 04358



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## Select Board Meeting

Monday – 06/01/2016 – Town Office Meeting Room

8:00 A.M.

## Minutes

The Chair opened the meeting and welcomed all in attendance at 8:00 a.m. Board members present were Irene L. Belanger, Robert MacFarland, Neil Farrington, Ronald Breton, and Joann C. Austin. Others present were Fred Curtis, Mary Grow and the Town Manager. All present recited the Pledge of Allegiance to the American Flag.

On a motion by Selectperson Irene L. Belanger and a second by Selectperson Ronald R. Breton, the Board voted 5-0 to accept the minutes of the 05/16/2016 Select Board meeting as presented.

On a motion by Selectperson Irene L. Belanger and a second by Ronald R. Breton, the Board voted 5-0 to accept China Payroll Warrant #55 for \$224,151.13, and Town Payables Warrant #56 for \$63,521.26 as presented. The Board discussed the payables relating to CRLA invoices and discussed the request by CRLA President James Hart for funds to purchase a used truck for the Youth Conservation Corps and the Courtesy Boat Inspectors. The Town Manager provided the Board with an opinion from the Maine Municipal Association attorneys indicating that there were two sensitivities when appropriating funds for capital purchases. One was whether or not the appropriation could meet the test of the Public Purpose Doctrine and the other is whether or not the capital meets the traditional use of the appropriated funds or was talked about in budget hearings. There was additional discussion about appropriations at the China Annual Town Business Meeting and the Town Manager noted that funds are appropriated for “Lake Restoration” and not to a particular entity.

On a motion by Selectperson Irene L. Belanger and a second by Selectperson Neil Farrington, the Board voted 5-0 to allow for an expenditure not to exceed \$5000 for the purchase of a replacement vehicle for the CRLA to be used for the YCC and CBI activities.

## Unfinished Business:

- **Public Comment:** There was not any public comment at this time.
- **Transfer Station Co-Coordinator’s Conversation – Transfer Station Committee Items and Palermo Agreement Consideration:** On a motion by Selectperson Ronald R. Breton and a second by Selectperson Irene L. Belanger, the Board voted 5-0 to accept and sign the proposed Agreement between Palermo and China for the shared use of the China Transfer Station, pending Palermo voters’ acceptance of the agreement. Copies of the documents are on file and available at the China Town Office. The voters of the Town of Palermo will vote on one of the options for municipal solid waste disposal at an election on June 14, 2016. Partnering with China is one of the options on the June 14, 2016 ballot.
- **Committee/Organization Reports – Board Selected - Selectperson Belanger: RSU#18, KVCOG, Economic & Community Development, Mid-Maine Chamber and KRDA Updates**

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– **Selectperson Belanger:** It was decided to have the reports prepared for delivery at the next regularly SB meeting.

- **Enforcement – Redemption Agreement – Litchfield Lane Property:** The Board continues to process the redemption option on the former Litchfield property. The administration was directed to process a Quit-Claim deed to the former owners of the property conditioned upon the removal of a storage trailer on that property that was being leased out in violation of the China Land Development Code. The former owner has not removed the trailer and has avoided attempts at communications with the town. The Town Manager will attempt to communicate with Mr. Litchfield about the removal of the trailer.

## New Business:

- **Public Comment:** There was not any public comment at this time.
- **Policies and Procedures:** The Board will continually review policies and procedures with the intent of updating any and all that need attention. T. Station related Ordinances need review...
- **Pawn Broker Permit/License:** It was noted that the town will receive its first Pawn Broker License application in the coming days. The Board has agreed on the terms for approval of an application, to be consistent with the State Statutes and further to meet town standards as set forth in the application document.
- **MRC/Fiberight Contract Processing - Signing the Agreement and Commitment of Tons of MSW:** On a motion by Selectperson Joann C. Austin and a second by Selectperson Irene L. Belanger, the Board voted 4-1(MacFarland) to approve of the proposed contract with MRC/ Fiberight as presented, a copy of the contract to be on file at the town office. On a motion by Selectperson Joann C. Austin and a second by Selectperson Neil Farrington, the Board voted 4-1(MacFarland) to authorize the Town Manager to sign the contract on behalf of the town and commit 996.1 tons of MSW to be delivered to the Fiberight Plant in Hampden post 2018.
- **Land Adjacent to the Town Office:** On a consensus vote, 3-2(MacFarland, Breton), the Board acknowledged their interest in the land and asked the Town Manager to obtain additional information on the lot and the asking price for the lot.
- **Enforcement – Administrative Consent Agreement and Notice of Violation– China CEO:** China CEO Paul Mitnik, informed the Board of two enforcement issues he is currently dealing with. One relates to the property located at Map 16 Lot 30-D and the other relates to property located at Map 28 Lot 15. Copies of the enforcement documents are on file at the town office for public review. On a motion by Selectperson Ronald R. Breton and a second by Selectperson Irene L. Belanger, the Board voted 5-0 to direct the administration to proceed with the processing of the violation associated with Map 28 Lot 15. On a motion by Selectperson Neil Farrington and a second by Selectperson Ronald R. Breton, the Board voted 5-0 to accept and sign the Administrative Consent Agreement and direct the administration to proceed with execution of the administrative consent agreement associated with the property at Map 16 Lot 30-D.

At this time Paul went on to note the progress the PB has made on recommended Land Development Code changes to the sections relating to seasonal conversions, shore land zoning,

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and the sign ordinance. The PB will hold a public hearing on the proposed changes on July 24, 2016. The PB and SB are hopeful to have the proposed changes on the November 2016 ballot for voter acceptance.

Paul also noted the Resource Protection area on Route #3 and noted the two properties in that area that he thought might be changed out of Resource Protection. The Board asked the administration to look into this situation for recommended changes.

Selectperson Ronald R. Breton commented about the 15 Use Criteria associated with Conditional Use Permitting. He favored continued work on the revisions to the Land Development Code.

Selectperson Robert MacFarland commented about a site on the Dirigo Road that appeared to violate the junk yard laws.

- **Appointment(s) – Various Administrative Positions and Committee Positions:** On a motion by Selectperson Neil Farrington and a second by Selectperson Irene L. Belanger, the Board voted 5-0 to approve of and sign the appointments as presented. Copies of the respective appointments of officers and committee members will be on file at the town office. The Select Board members are to stop by the office to sign all the respective appointment papers.

## **Manager's Communications (Non-Action Items):**

- **Public Comment:** There was not any public comment at this time.
- **Committees – Meetings/Updates: Thurston Park II, Tuesday, June 14, 2016, Town Office at 6:30 P.M., Economic and Community Development Committee, TBA, Transfer Station Committee, Tuesday, June 7, 2016 at 8:30 A.M. in the Town Office, and TIF Committee, Monday, June 13, 2016 at 7:00 P.M. in the town office meeting room, a Joint Meeting with the SB.** The respective dates, times, and places of the meetings were announced.
- **TIF Information/Conversations:** The Board agreed to have this item on the agenda for continued conversation and clarification.
- **Next Meeting Announcements:** The following was announced.
  - June 13, 2016 Patricia Oh and Demographics of China (Seniors Focus) Proposal
  - Transfer Station Committee Update - Transfer Station Ordinance, Solid Waste Flow Control Ordinance, PPT Proposal, Palermo Representation, Traffic Flow
  - TIF Committee Update, Current Initiatives
  - Sign Ordinance Proposal for Changes – Update on PB Review
  - Jim Hart – CRLA – June 13, 2016

In other business:

On a motion by Selectperson Irene L. Belanger and a second by Selectperson Neil Farrington, the Board voted 5-0 to engage in a “walk-through” of the FairPoint building and property on Route #3, to see what is being offered for sale. It was better described as a “kicking the tires” type of review of the property. The Board, it was reasoned, will be better able to describe the property to any interested party.

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It was noted that, courtesy of Tim Basham, Morten Moesswilde, the District Forrester in Kennebec County, will be speaking with the SB at the meeting on June 27, 2016 about forestry management items.

The Town Manager informed the Board that RSU#18 officials are offering the portable classroom located at the CPS, recently used for storage, for sale. Board members recommended an inspection of the portable classroom before making any decisions. The Town Manager was asked to communicate with the RSU#18 Superintendent that there might be some interest in the portable classroom. The Chair, Robert MacFarland said he felt that any property owned by the town before the consolidation into the RSU#18 should be returned to the town without charge. Selectperson Joann C. Austin said that there may be some precedent setting actions going forward in dealing with the properties. On a motion by Selectperson Joann C. Austin and a second by Selectperson Ronald R. Breton, the Board voted 5-0 to have the Town Manager ask to have the portable held for the town's consideration at a future meeting.

Selectperson Neil Farrington announced a June 18, 2016 open house at the old town hall beside the current town office on Lakeview Drive. The open house hours will be from 8:00 a.m. to noon. Selectperson Neil Farrington is seeking to promote interest in town history in anticipation of the 2018 celebration of the 200<sup>th</sup> anniversary of the formation of the Town of China.

On a motion by Selectperson Ronald R. Breton and a second by Selectperson Robert MacFarland, the Board voted 4-0 to move the FFT building to a site near the compost pile. The TSC recommended to have a carpenter build the appropriate structure to house the shelving next to the new shed, having all the items under a shelter. The final configuration was not determined.

Selectperson Irene L. Belanger expressed her opinion about the increased fees for commercially hauled MSW. She felt the increase was excessive and not necessary.

On a motion by Ronald R. Breton and a second by Selectperson Robert MacFarland, the Board voted 4-0 (Austin had to Leave Early) to adjourn at 10:20 p.m.

Respectfully submitted,

Irene L. Belanger, Secretary  
China Select Board

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Assessors' Meeting  
06/01/2016

## Agenda

The Chair of the Board of Assessors opened the meeting at 10:21p.m. Board members present were Robert MacFarland, Neil Farrington, Ronald R. Breton and Irene L. Belanger. Others present were Mary Grow and the Town Manager.

### 1. Abatement(s)

#### Minor or Burdensome Amounts

Pursuant to MRSA Title 36 Chapter 105 Subchapter 6 Subsection 760-A Minor or Burdensome Amounts, the municipal officers order the following personal property taxes to be removed from the municipal books due to small or burdensome amounts to collect,

On a motion by Selectperson Neil Farrington and a second by Selectperson Ronald R. Breton, the Board voted 4-0 to accept and sign an abatement as presented for Windy Acres Farm, copies to be on file at the town office.

### 2. Other Abatement(s)

On a motion by Selectperson Neil Farrington and a second by Selectperson Ronald R. Breton, the Board voted 4-0 to accept and sign an abatement application for Judith Gilman as presented, a copy to be on file at the town office.

**Adjourn:** On a motion by Selectperson Irene L. Belanger and a second by Selectperson Neil Farrington, the Board voted 4-0 to adjourn at 10:24 p.m.  
Respectfully submitted,

Irene L. Belanger, Secretary  
China Select Board/Board of Assessors