

## REPORT ON SELECTMEN'S MEETING OF FEBRUARY 16, 2012

Prepared by Rick Freeman

Note: (1). If anyone wishes to stop receiving these reports, they may simply hit "Reply" and request to be deleted from the list or say "Unsubscribe."

(2). These are not official minutes -- -- just notes taken by me. Official minutes will be available from the Town Office and will be posted on the Town web site and at the Town Office and other places following Board approval at the next meeting.

(3). Reports of earlier meetings and some supplementary materials are available at my Town Meeting website:

[www.singingbridge.net](http://www.singingbridge.net)

THE MEETING: There were twelve members of the public present, including two newspaper reporters.

The minutes of the meeting of January 24, 2012 were approved.

MOST IMPORTANT/INTERESTING ITEMS: In my judgment, the following item was the most important thing covered during the meeting.

Bruce Poliquin's Tree Growth Property Tax Exemption: During the public comment period at the opening of the meeting, I reviewed what has been disclosed about Bruce Poliquin's use of the state's Tree Growth Property Tax Program to reduce his property tax payments since 2004. Here is what I said:

I intend to ask several questions. I have two objectives in asking these questions: to see if there are changes to the Tree Growth Tax Law that the Legislature might make to prevent abuses such as this case; and to find out if there is anything that the Town can do to correct the situation.

I have used the word "abuse" to describe this case. This is a strong term. Why do I think that Bruce Poliquin abused the Tree Growth Tax Law? The objective of the law is to encourage "... the management of forestland for a continuous supply of forest products and services (see Maine Forest Service Information Sheet 17)." This Information Sheet includes the following statements:

"Forest Management and Harvest Plans that never recommend any harvesting of commercial forest products are not acceptable for the Tree Growth Tax Law program, and may result in withdrawals and penalties."

The landowner must follow the Forest Management and Harvest Plan. If the plan recommends harvesting as part of the management strategy, then harvesting is necessary." But when Mr. Poliquin acquired the property, the deed included a covenant that effectively precludes commercial harvesting. The clause in question reads:

"Trees may be thinned only for the purposes of view, and the environment shall be completely protected at all times from the excessive cutting of trees."

My questions are:

1. Did the Forest Management Plan submitted with the application for Tree Growth status include recommendations for harvesting forest products?
2. Did the Selectmen and the Assessor know about the covenant in Mr. Poliquin's deed?
3. What can the Town do now to correct the situation? Can it revoke the Tree Growth status of this lot? Can it claw back any of the property tax savings Mr. Poliquin has been realizing for the past 8 years?
4. The Selectmen have received several Forest Management Plans from other property owners seeking to renew their Tree Growth Status. Have the Selectmen or the Tax Assessor checked any of these cases to assure compliance with the prior Forest Management Plans?

Geoff Birdsall replied as follows:

Re: #1, he wasn't on the Board at the time and doesn't know the answer.

Re: #2, he didn't know about the covenant.

Re: #3, this will have to be discussed at a future meeting of the Board.

Re: #4, it might behoove the Town to evaluate all the lots in the Town that are in Tree Growth to make sure that they are in compliance (there are 10 of them). Dolores Pinette agreed with this.

Bill Plummer added that he was on the Board at the time that Poliquin applied for Tree Growth status and he signed the application. But he doesn't remember whether the covenant was part of the application or any details about the Forest Management Plan.

CORRESPONDENCE:

Mary reported on correspondence received. For a complete listing of this correspondence, see the Meeting Agenda at: [www.georgetownme.com/Meeting-Agendas-and-Minutes.php](http://www.georgetownme.com/Meeting-Agendas-and-Minutes.php)

The most interesting items were:

- ME Center for Disease Control: Public Health Update January 26, 2012 and an alert on 16 reports of gastroenteritis outbreaks and identifying Norovirus Genotype II as the cause of one.
- From the Department of Marine Resources, a limited aquaculture license for Thomas Bolster on Robinhood Cove for oysters.
- DMR: Notice to Shellfish Conservation that DMR will begin to study and evaluate the relationship between water quality and shellfish meat quality in the Lower Kennebec River Conditionally Approved Shellfish Growing Areas.
- Sagadahoc County, Emergency Management Agency, with information on a 'Maine Partners in Emergency Preparedness Conference' to be held in April. Jerry and Karin Gamache will be attending and request approval of mileage expenses. The request was approved by the Selectman.
- A notice from Kate MacKay, ACO, with notice that 11 Rabies cases have been reported in Maine in January but none so far in Sagadahoc Country.

- From Liz Rollins, a listing of AARP Tax-Aide locations and times for free income tax assistance for low/ moderate income, handicapped and senior citizens. This has been posted in the Town Office.

#### OLD BUSINESS:

1. Regarding the Haddock/Montgomery hoop garage on the Loop Road, The Town Attorney has written the attorney for Haddock/Montgomery saying that the structure is in violation of the Town's ordinance and of the spirit of the Judge's ruling in the case and must be removed by May 31.
2. Kate MacKay and Patty Kimble were in to be interviewed for open positions on the Financial Advisory Committee. The Selectmen appointed them both to three year terms on the Committee.
3. The letter to committees with 2012-13 budget information and calendar was reviewed and approved. The date of the School Committee budget hearing was changed from Tuesday, May 15 to Thursday, May 17.
4. Regarding the revising of the Emergency Operations Plan, there was a letter from Jerry Gamache, Emergency Management Director, regarding his activities and responsibilities and expectations going forward. He has also sent in a revised copy of the plan for review and approval and request comments by February 29.

#### CONTINUING ITEMS:

Holding Tanks - required reports of pumping. No report from John Mason. The Selectmen will send him another letter certified return receipt requested.

#### NEW BUSINESS:

1. The Kosalka's have filed a lawsuit demanding judgment against the Town, vacating the defendant's "dangerous dog" determination and assessment of the \$100 fine, and such further relief as the Court may consider appropriate, and their costs. A response is due by March 2. The Town Attorney will write the response. Animal Control Officer Kate MacKay reported that she had read the complaint and disagrees with a number of the statements of fact in the complaint.
2. Animal Control Officer Kate MacKay needs to do an 8 hour training program. It will be conducted in Bangor MacKay requested reimbursement for mileage and for a one night stay in a motel. This was approved.
3. The school custodian and School Committee have stated that there is a need for storage furniture and equipment and have inquired about the possibility of a garage at the edge of the north parking lot. This was tabled for consideration at the next meeting.
4. Spatial Alternatives has asked for access to the Town's tax maps and assessment data. They are working on the Broadband Initiative for the State of Maine to develop GIS based parcel data. When completed they will provide each town in the final list with a composite GIS file representing their parcels. The request was tabled until the next meeting.
5. It was reported that Mark Donovan has resigned from the Recreation Committee.

6. Bill Plummer reported on conversations he has had with Jason Lang about his interest in becoming an Assistant Codes Enforcement Officer and eventually replacing Bob Trabona. It was reported that another person has also expressed some interest in the position. Mary McDonald said that there were four positions to be advertised: Assistant Codes Enforcement Officer, Assistant Treasurer, Deputy Shellfish Warden, and Transfer Station Attendant.

#### EXECUTIVE SESSION:

The Selectmen then went into executive session to discuss a background check for a concealed weapons permit, and to discuss a personnel issue.

The next meeting of the Selectmen will be at 7 PM on Tuesday, February 28 at the Town Office.

Prepared and distributed by Rick Freeman