

REPORT ON SELECTMEN'S MEETING OF APRIL 24, 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

THE MEETING: There were three members of the public present.

The minutes of the meeting of April 10, 2012 were approved.

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

The first item on the agenda at each meeting is Public Comment. I took this opportunity to read the following statement:

On March 26, you received a copy of a memo from Professor Orlando Delogu to the State Attorney General and the Sagadahoc and Lincoln County District Attorney. After laying out the facts of the Poliquin Tree Growth Tax case as they were known at the time, Professor Delogu made the following requests:

"1. Obtain from Mr. Poliquin, the Maine Forestry Service, whomever (by subpoena, if necessary) a copy of 2004 "forest management and harvest plan" for the property.

2. Undertake an independent review of the critical deed restriction burdening the Poliquin property, and assess the Nature Conservancy's actions to enforce this restriction and other covenants in the Poliquin deed.

3. Undertake an independent review of the tree growth tax law to determine whether Mr. Poliquin's "forest management and harvest plan" (notwithstanding the deed restrictions) meets the eligibility requirements of the tree growth tax law, particularly in light of the statutorily imposed duty to "harvest for commercial use."

4. Determine whether Mr. Poliquin's application for, and receipt of tree growth tax benefits given his knowledge of the deed restriction, his knowledge of the contents of his own management plan, his knowledge of the tree growth tax law eligibility requirements, amounted to fraud, or is more accurately characterized as "applicant" and/or "municipal" mistake. "

As of this date and after nearly a month has gone by, Professor Delogu has not had any response from either party. I request that the Selectmen write a letter to the Attorney General and the District Attorney asking them how they intend to respond to Professor Delogu's request.

I know that the Selectmen did not take any action on this case at its last meeting and that one Selectman expressed the view that further effort was unlikely to result in any benefit to the Town. That might have been at least in part because of the view expressed by van Tuinen that the Town would not be able to recover lost taxes because the loss resulted from “undervaluation” of Poliquin’s property. I and others that I have talked to think that this conclusion is wrong. The lost taxes did not result from undervaluation but from what appears to be a misclassification of the property and that misclassification could be due to actions of the taxpayer.

At the March 13 Selectmen’s meeting, Geoff Birdsall said that the Selectmen’s responsibility was to look after the best interests of the taxpayers of the Town. I have to say that by taking no action on the Poliquin matter, the Selectmen are not living up to that responsibility.

To close, I want to quote from an editorial in the Sunday Lewiston Sun Journal:

“Poliquin had been paying taxes of \$30 or less per year to the town for his 10 acres, which are valued at \$943,000. Only when this became a political embarrassment did Poliquin shift his woodlot into an Open Space tax designation — which also allowed him to skip paying his back taxes. And how is this less reprehensible than a single mother with two children caught abusing the food stamp or welfare programs? Either way, the public treasury is out some money.”

After I finished, there was no response or discussion. The Selectmen moved to the next item on the agenda.

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

OLD BUSINESS:

Mary McDonald reported that the judge had issued an order in the case of the Kosalka dogs running loose and attacking the neighbor’s chickens. The order included a requirement for restitution, the confining of the dogs, and enrolling the dogs in an obedience class.

The Ledge island LLC property (Stage Island) is up for renewal of its Tree Growth status. The owner has reported that the forester has not been able to visit the island because of an active bald eagle nest and thus has not been able to prepare the required new forest management plan. They have missed the April 1 deadline for this submission. Geoff Birdsall said that Mary should ask the owner for the old forest management plan for the Selectmen to review. The owner also reported that they planned to do some harvesting after the bald eagle nesting season.

Regarding Bruce Poliquin’s application to transfer his property to Open Space, the tax assessor has not completed his review of the application.

NEW BUSINESS:

1. The Conservation Commission has requested the placement of six signs on three roads to mark turtle crossings. The Road Commissioner has been notified and is in agreement. The request was approved unanimously.

2. Charles "Buster" Moore spoke with the Selectmen about his interest in serving again on the Shellfish Conservation Committee. His interest and past service were noted. He was told that new appointments would not be made until after Town Meeting when the Selectmen would be reviewing the memberships of all Town Committees.

3. Patricia Kosalka appeared before the Selectmen to answer any questions they might have about the complaint she had filed about the performance of the Animal Control Officer. Her complaint was noted.

4. The Selectmen reviewed four ordinances that have been proposed for amendment. They agreed to bring these four to the Public Hearing on ordinances to be held at 7 PM on Wednesday, May 2. The ordinances are:

- Auto excise tax exemption for active duty military personnel - new
- Ordinance establishing the Planning Board - proposed for amendment
- Building Permit Ordinance - proposed for amendment
- Shoreland Zoning Ordinance - proposed for amendment.

The Selectmen then went into Executive Session to discuss several matters.

The next meeting of the Selectmen will be at 7 PM on Tuesday, May 1 at the Town Office to review the budget proposal from the Financial Advisory Committee..

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