

**Town of West Bath**  
**Selectmen Meeting Minutes**  
**Monday, June 24, 2019**

**Town of West Bath Board of Selectmen:** Madelyn Hennessey, Chair - Present  
Kathleen Lavallee - Present  
Peter Oceretko - Present

**Town Staff Present:** Kristine Poland, Town Administrator  
Karly Perry, Town Clerk  
Ron Beal, Assessor  
Steve Renaud, Road Commissioner

**Residents:** David Hennessey, Ed Schenk, Michael Montgomery, Merrilee Wilson  
**Gerald Mitchell, Tracy Renaud, Robert Pellegrini**

A meeting of the West Bath Board of Selectmen was held **Monday, June 24, 2019 at 5:30 pm** in the Selectmen’s meeting room of the West Bath Town Hall, 219 Fosters Point Road, West Bath.

I. Call to Order at **5:38 pm**

II. Attendance and Establishment of Quorum **Yes**

III. Pledge of Allegiance was said.

IV. CONSENT AGENDA 1. Approval of Minutes:

a.) June 10, 2019 Board of Selectmen Meeting

2. Approval of Warrant(s):

a.) Municipal

b.) School Department

3. Upcoming Meeting(s):

a.) Monday, July 8, 2019 at 5:30pm in the West Bath Town Office

**Selectmen unanimously approved**

V. SELECTMEN COMMENTS/ANNOUNCEMENTS:

Selectman Hennessey announced that the Garbage to Garden Composting bin, as voted on at Town Meeting, is located in the parking lot behind the Town Hall.

VI. CITIZEN’S COMMENTS: None

VII BUSINESS ITEMS

1. **Ed Schenk, Bull Rock Road drainage**

Mr. Schenk asked the board to fix the ditch on Bull Rock Road, which is flooding across State Road by his property (near Bull Rock landing). Mr. Schenk stated that the water is undermining the road and flooding his property, which he is currently trying to sell.

Selectman Lavallee asked if this was an ongoing problem or if it was caused by the increased rain, to which Mr. Schenk stated this problem has been going on for a long time, but has become more of an issue due to the pending sale and the quandary of where a leach field can be installed due to the flooding.

Road Commissioner Steve Renaud stated that he has visited the site to take measurements, noting the position of Mr. Schenk's property. Mr. Renaud stated that this has been the natural flow for as long as he can recall. Mr. Schenk had suggested installing a ditch, however Mr. Renaud surmised that in order to be effective, the ditch would need to be 5' deep, which would require blasting and significant expense. The grading required to properly ditch the area would require a 10' setback.

Selectman Oceretko asked Mr. Renaud if he believed the road condition was causing the issue, to which Mr. Renaud stated that he does not believe the Town's actions are responsible, as this has been a historic issue to the area.

Discussion followed regarding abutting properties and the possibility of installing a culvert. Mr. Renaud further argued that adding a ditch would actually increase the amount of water to the area, reiterating the natural state of the properties.

Mr. Schenk suggested that he would fund the work if the Selectmen were agreeable to allowing it to be done. Mr. Renaud noted that ditching would require an engineer's input.

Assessor Ron Beal noted that the town does not have an easement to the property in questions, but agreed that the land would hold significant value to the town if it could be developed and suggested that the problem should be looked at. (Selectman Oceretko stated that regardless of the value, the situation is an existing condition and therefore not the Town's responsibility to resolve).

Mr. Schenk raised concerns that the runoff may be a more serious issues as far as DEP is concerned. Selectman Hennessey responded that she did not see any flags raised on the last shoreland survey.

The Selectmen agreed to have Pine Tree Engineering review the issue and asked Town Administrator Kristine Poland to reach out to Bob Pru.

**2. Annual Appointments**

Selectman Hennessey reviewed appointment papers for the following:

Warren Swanson, Marine Resources

Gerald Morin, Marine Resources

James Williams, Planning Board

Gerald Mitchell Jr., Planning Board

Douglas Alexander, Constable

Jonathan Beane, Constable

Jonathan Beane, Fire Chief & Emergency Management Agency (EMA) Director

Jonathan Beane, Code Enforcement Officer, E911 Addressing, and Local Plumbing Inspector

Ronald Beal, Assessing Agent

Todd Stead, Animal Control Officer

Joseph Vaillancourt, Harbor Master

Douglas Alexander, Assistant Harbor Master,

Douglas Alexander, Shellfish Warden

Kristine Poland, Public Access Officer

Stephen Renaud, Road Commissioner

Julia House, Tax Collector/Treasurer

Karly Perry, Town Clerk

**Selectman Oceretko moved to appoint persons as presented, seconded by Selectman Lavallee. Selectmen unanimously approved.**

3. **2019-2020**

Selectman Hennessey reviewed the proposed fee schedule. Town Clerk Karly Perry noted that the fee for the Comprehensive Plan was increased to match the Land Use Ordinance. A \$10 fee was added for non-certified vital records to match the fee charged by the state.

**Selectman Lavallee moved to approve the fee schedule as presented, seconded by Selectman Oceretko. Selectmen unanimously approved.**

4. **Office Hours**

Selectman Hennessey reviewed a proposed change to the Town Office hours, which edit the Assessing Agent's hours from 9-5pm to 9-4pm, Tuesday & Thursday. Mrs. Poland explained that with a full time CEO she would like the office hours for staff to be more consistent, adding she did not feel it was necessary for the Assessor to stay an additional hour.

**The Selectmen unanimously approved the change to Town Office hours.**

4. **End of year, transfers from contingency**

Mrs. Poland reviewed the abatement total for FY2018 of \$27,596.01 (most of which, were clerical errors due to using two computer programs for assessing) and asked that the Selectmen vote to take this amount from overlay. Mrs. Poland further noted that all other overages are small and can be taken from the Selectmen's contingency. All other overages are under \$10,000.

**Selectman Oceretko moved to take \$27,596.01 from overlay to cover the cost of abatements, seconded by Selectman Lavallee. Selectmen unanimously approved.**

6. **Other**

Mrs. Poland reviewed an oversight in the FY 2019/20 Budget wherein cleaning services had been omitted, recommending that the Selectmen take \$4000 from contingency to cover the cost at the end of the fiscal year. Discussion followed regarding putting cleaning services out to bid rather than keeping those duties in house.

Selectman Lavallee moved to put cleaning services out to bid, seconded by Selectman Oceretko. Selectmen unanimously approved.

**Selectman Lavallee moved to amend the motion to allow for in-house cleaning in the interim, with the cost to be taken from contingency, seconded by Selectman Oceretko. Selectmen unanimously approved.**

IX. EXECUTIVE SESSION:

**Selectman Oceretko moved to enter into Executive Session pursuant to Title 1 M.R.S.A. §405 (6)(A) for the purpose of discussing personnel issues, seconded by Selectman Lavallee. Selectmen unanimously approved.** Selectmen entered into executive session at 6:15 pm. Executive session ended at 7:30 pm.

X. ADJOURNMENT

**Selectman Oceretko moved to adjourn, seconded by Selectman Hennessey. Meeting adjourned at 7:30 pm by unanimous acclamation.**

A true attested copy,

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Karly A. Perry, Town Clerk