

Town of West Bath
Special Select Board Meeting Minutes
Thursday, May 9, 2024

Town of West Bath Madelyn Hennessey, Chair - **Present (late)**
Select Board: Suzanne Andresen - **Present**
Kathleen Lavallee - **Present**

Town Staff Present: Kristine Poland, Town Administrator
Karly Perry, Town Clerk

Public: David Hennessey, Katherine Larrabee, Robin Johnson, Marc Travis, Jane Weir,
Robert Weir, Michael Williams, Juanita Wilson-Hennessey, Steve Winter

A special meeting of the Select Board was held at the West Bath Fire Hall, **Thursday, May 9, 2024, at 4:30 pm.**

I. CALL TO ORDER

II. ATTENDANCE AND ESTABLISHMENT OF QUORUM

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

1. Approval of Warrant(s):
a. Municipal

2. Upcoming Select Board Meeting(s):

a. Thursday, May 16, 2024, at 5:30pm at the West Bath School Gymnasium

Municipal Officer Lavallee moved, seconded by Municipal Officer Andresen to approve the warrant as presented. Select Board unanimously approved.

V. OLD BUSINESS

(Acting as the Board of Assessors)

1. Act on the Recommendations from Parker Appraisal on the Following Applications for Abatement of Property Taxes:

Ms. Poland presented the Board with letters of acceptance. She stated that 34 letters were mailed with responses received from 32. Georgia Ireland and Robert Newman have not yet responded. No mailings have been returned.

A. Amir and Taylor Familmohammadi, 28 Van Der Werf Dr (R01-007-D)

Municipal Officer Andresen reviewed Mr. Familmohammadi's written acceptance of the recommendation by Parker Appraisal.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement for R01-007-D as presented with a land value of \$102,400 and a building value of \$396,400 for a total value of \$498,800 and a new tax rate of \$3391.84. Board of Assessors unanimously approved.

B. Linda Henderson, 501 Fosters Point Rd (R04-004)

C. Linda Henderson, 480 Fosters Point Rd (R04-034)

Municipal Officer Andresen reviewed Ms. Henderson's written acceptance of the recommendation by Parker Appraisal.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement for R04-004 with a land value of \$618,000 and a building value of \$40,000, totaling \$658,000 with a new tax rate of \$4474.40. Board of Assessors unanimously approved.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement for R04-034 with a land value of \$496,200 and a building value of \$208,300, with an exemption of \$2500, totaling \$679,500, with a new tax rate of \$4620.60. Board of Assessors unanimously approved.

D. 263-269 State Road LLC, 269 State Rd (U07-012)

E. 263-269 State Road LLC, 263 State Rd (U07-013)

Municipal Officer Andresen reviewed the written acceptance of the recommendation by Parker Appraisal submitted by Mark Jorgensen.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement for U07-012 with a land value of \$140,500, and a building value of \$162,300, totaling \$302,800, with a new tax rate of \$2059.04. Board of Assessors unanimously approved.

Municipal Officer Andresen reviewed the tax abatement for U07-013 with a land value of \$200,400, a building value of \$243,900, and a total value of \$3021.24. Municipal Officer Lavallee noted that the value has not changed from the original value.

Municipal Officer Andresen, seconded by Municipal Officer Lavallee, moved to accept the abatement as presented.

F. Harbor Ridge Homeowners, 326 Mountain Rd (U18-008)

G. Harbor Ridge Homeowners, Mountain Rd, land only (U18-008-A)

Municipal Officer Andresen reviewed written acceptance of the recommendations of Parker Appraisal submitted by Robert Webb with a recommended land value of \$145,100 and a new tax rate of \$986.68.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement the abatement as presented. Board of Assessors unanimously approved.

Municipal Officer Andresen reviewed the second parcel U18-008-A with a land value of \$14,300 and a new tax rate of \$97.24.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement the abatement as presented. Board of Assessors unanimously approved.

Ms. Poland addressed another abatement which is not listed on the agenda to which she has just received written confirmation of acceptance.

Municipal Officer Andresen moved to accept the abatement for U18-001-005 with a land value of \$778,200, and a building value of \$870,600, totaling \$1,648,800 with a new tax rate of \$11,211.84. Board of Assessors unanimously approved.

H. Gary Varney, 406 Mountain Rd (U19-002)

Municipal Officer Andresen reviewed written confirmation of acceptance of the recommendation by Parker Appraisal.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the recommendation with a land value of \$662,000, building value of \$317,200, tax exemption of \$25,000, for a total value of \$954,200 with a tax rate of \$5675.82. Board of Assessors unanimously approved.

I. Jeffrey and Margaret Pierce Revocable Trust, 483 Mountain Rd (U19-006)

Municipal Officer Andresen reviewed the written confirmation of acceptance of the recommendation of Parker Appraisal for U19-006 with a land value of \$1,883,700, and building value of \$1,136,300, and a total value of \$3,020,000, with a new tax rate of \$20,536.00.

Municipal Officer Andresen, seconded by Municipal Officer Lavallee, moved to accept the recommendation as presented. Board of Assessors unanimously approved.

- J. Jeffrey and Margaret Pierce Revocable Trust, Mountain Rd, land only (U19-007)
Municipal Officer Andresen reviewed the written confirmation of acceptance of the recommendation of Parker Appraisal for U19-007 with a land value of \$210,900, with a new tax rate of \$1434.12.
Municipal Officer Andresen, seconded by Municipal Officer Lavallee, moved to accept the recommendation as presented. Board of Assessors unanimously approved.
- K. Ronald Proctor, 9 Mallard Dr (U24-010-A)
Municipal Officer Andresen reviewed the written confirmation of acceptance of the recommendation by Parker Appraisal.
Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to accept the abatement for U24-010-A with a land value of \$234,000, a building value of \$291,100, with a total value of \$525,100, and a new tax rate of \$3570.68. Board of Assessors unanimously approved.
- L. Henry Baecker Jr., 133 Brighams Cove Rd (U27-033)
Municipal Officer Andresen reviewed the written confirmation by Mr. Baecker.
Municipal Officer Andresen, seconded by Municipal Officer Lavallee, moved to accept the recommendation with a land value of \$444,800, building value of \$183,300, tax exemption of \$25,000, and total value of \$603,100, with a tax rate of \$4101.08. Board of Assessors unanimously approved.

Municipal Officer Andresen noted the time being 4:50pm and asked if the Board should hold off on the remaining agenda until Municipal Officer Hennessey is present. Municipal Officer Lavallee stated that the meeting was originally scheduled for 5pm and therefor the Board should move forward Ms. Poland reached out to Municipal Officer Hennessey by text message.

Juanita Wilson-Hennessey stated that she is interested in viewing the supporting documentation for Parker Appraisal's decisions on abatements. Ms. Poland stated that the information is available for review.

VI. OLD BUSINESS

(Acting as the Select Board)

Municipal Officer Andresen noted her belief that there are additional items missing from Old Business including the Town Administrators contract drafted by the Town Attorney which she has not yet seen. Ms. Poland stated that she does not have the contract to produce, but would reach out to Municipal Officer Hennessey.

Municipal Officer Andresen asked Municipal Officer Lavallee for her approval to reach out to the Town Attorney regarding the contract, to which Municipal Officer Lavallee agreed.

Municipal Officer Andresen stated that the status of hiring a tax assessor should be included in Old Business as well. Ms. Poland stated that she has not reached out to the proposed tax assessor as there was no formal direction given at the last meeting. Municipal Officer Lavallee expressed frustration that she was under the belief that this was being taken care of. Ms. Poland expressed concern that she was not certain what she was asking for and whether the Board was concerned with the bid policy.

Ms. Poland spoke to her reluctance to take action without the authority of the Select Board. Municipal Officer Lavallee reviewed her notes requesting the number of building permits and price moving forward.

Municipal Officer Andresen moved that Ms. Poland give the Select Board the numbers of new builds, demolition permits, and building permits. Ms. Poland questioned by the Board needed this information. Municipal Officer Andresen expressed her interest in having this information.

Municipal Officer Lavallee asked Ms. Wilson-Hennessey for her opinion on how the Board should proceed. Ms. Wilson-Hennessey recommended giving the proposed contractor the number of new construction, demolition, and building permits in order to provide the Town with an estimate for services.

David Hennessey suggested that the Board use their authority to override the bid process in order to expedite the process.

Ms. Wilson-Hennessey suggested that the Board meet with the individual to discuss the matter further.

Steve Winter recommended including lot splits and ownership changes be included. Ms. Wilson-Hennessey clarified that Midcoast Appraisal would not volunteer to complete these tasks as they are not certified appraisers.

Municipal Officer Hennessey joined the Select Board meeting.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, that the Town Administrator pull the number of new construction, demolition, and general new building permits by Monday, to send information out to Midcoast Appraisal to schedule a time that is mutually beneficial for all to participate. Ms. Poland confirmed that this motion is clear.

Mr. Winter asked if pickup work is typically billed at an hourly rate. Ms. Wilson-Hennessey stated that this depends on a number of factors and could not suggest how a peer would approach the project. She noted that the appraiser is seeking to become a Certified Maine Assessor and would use the project as an experience, with the potential to continue to work with the Town.

Municipal Officer Lavallee agreed with Mr. Hennessey that the Board should forgo the bid process in order to expedite the process. Mr. Hennessey added that there are funds in the FY 2023/24 budget for assessing. Municipal Officer Lavallee thanked the public for their continued support.

Select Board approved with two in favor and one abstention (Hennessey)

Municipal Officer Lavallee asked Ms. Poland if there was an additional item tabled at a previous meeting, Ms. Poland stated that it was the RFP for legal services.

1. Request for Proposals, Legal Services

Municipal Officer Lavallee noted changes to the proposal including a start date and specialties. Ms. Poland noted that employment law is included under areas of focus.

Municipal Officer Lavallee reviewed language for individual Select Board members to consult with the counsel.

Municipal Officer Andresen moved, seconded by Municipal Officer Lavallee, to change the language from the full Select Board to a majority of the Select Board. Municipal Officer Lavallee asked if the committee language should be amended as well, to which Municipal Officer Andresen suggested that the Select Board approve. Mr. Hennessey suggested communication by committee members be approved by the Town Administrator so that she is aware and expedites the response to the committee. **Select Board unanimously approved.**

Municipal Officer Andresen moved, seconded by Municipal Officer Hennessey, that labor and personnel be changed to labor and employment law. Select Board unanimously approved.

Municipal Officer Hennessey moved, seconded by Municipal Officer Andresen, to approve the Request for Proposals for Legal Services as amended and to be published in order to seek legal services beginning July 1, 2024. Select Board unanimously approved.

VII. NEW BUSINESS

1. Discussion with Treasurer Regarding Expense Accounts and Report Formatting

Ms. Poland announced that Treasurer Julia House had a training in Bangor and recommended that the Select Board hold a workshop in order to discuss reporting during the day. Municipal Officer Hennessey agreed that this would allow Ms. House to show the Board different reports. The Board agreed to meet Monday, May 13 at 10:00 am.

2. Town Administrator's Report

Ms. Poland referenced correspondence from Sagadahoc County that the budget has increased, and West Bath's contribution has increased to \$925,588.

Ms. Poland stated that the Tedford Shelter has reached out to the Town for inclusion in a planning conversation regarding warming centers and is asking for two representatives from the Town. Municipal Officer Andresen suggested that the Fire Chief be included in the conversation, to which Ms. Poland stated that Chief Beane does not have the time to devote to an additional meeting. She stated that she would be representing the Town and asked for a member of the Select Board to participate. Municipal Officer Hennessey volunteered on behalf of the Select Board.

Ms. Poland presented a request from "Green Acres" (145 New Meadows Road), who has reached out requesting that the Town provide transportation for residents. Ms. Poland suggested that the Select Board could engage in a discussion if interested in pursuing transportation services. Municipal Officer Lavalley suggested that this would be a part of a larger conversation between landlord and tenant regarding on-site assistance. She added that this will continue to be an issue moving forward that will require the Town's attention, citing numerous complaints from residents regarding living conditions. Municipal Officer Andresen suggested hosting a meeting with public health officials to discuss the situation.

Ms. Poland announced that the Town has been invited to attend the Bath Middle School Celebration of Learning on Friday, May 31, 10-1:00pm.

VIII. FUTURE AGENDA ITEMS

Municipal Officer Andresen asked that the Board discuss the hiring of a tax assessor and the Town's next steps. Select Board agreed to hold a special meeting on Thursday, May 30 at 5:30 at Town Hall.

IX. SELECT BOARD COMMENTS AND ANNOUNCEMENTS:

Municipal Officer Hennessey announced that she represented the Town on behalf of Garbage to Garden at the West Bath School Community Garden Festival. She complimented the event as a great success for the school.

Municipal Officer Andresen shared a compliment she had received regarding the Town Clerk, who had assisted a resident in registering their vehicle while out of the state.

X. PUBLIC COMMENT:

Mike Williams stated that he has questions on how his property was assessed during the tax revaluation, noting that waterfront property appears to have been assessed the same, whereas previous assessments differentiated between tidal and deep-water properties. He asked if the Town was aware of this discrepancy and if there are plans to rectify the situation.

Municipal Officer Andresen noted that property values were altered during the revaluation and the Town has not yet received the complete assessing manual in order to determine how properties are assessed. She confirmed that the Town is working to resolve these issues. Mr. Williams observed that property owners filing for an abatement would be an individual resolution to a problem shared by a large number of properties.

Municipal Officer Lavalley urged all taxpayers to file an abatement if they feel unjustly impacted. Katherine Larrabee confirmed that the deadline had passed. Municipal Officer Andresen stated that taxpayers can file every year.

Ms. Larrabee asked about proposed changes to the Land Use Ordinance and how those would impact assessing. Ms. Perry agreed to review Ms. Larrabee's property card and follow up with her.

Robin Johnson expressed frustration that her application for abatement has not been addressed. Municipal Officer Andresen stated that applications addressed during the current meeting were those where the applicant agreed to the recommendation of Parker Appraisal. Ms. Johnson asked when the Board expected to have a resolution. Municipal Officer Andresen stated that the Select Board does not have the information necessary to proceed. Ms. Johnson spoke on her difficulty in reaching someone at Town Hall, to which Ms. Poland stated that she had received a message from the Johnson's, and then subsequently received a letter on their position, therefor she did not realize that she needed to follow up with anyone.

Ms. Weir expressed frustration that residents are having difficulty hearing the Select Board and asked that they use a microphone. She then stated that it is inexcusable that messages are not returned to taxpayers. The Select Board agreed that phone etiquette needs to be discussed at an upcoming meeting.

XI. ADJOURNMENT

Municipal Officer Lavalee moved to adjourn, seconded by Municipal Officer Hennessey. Municipal Officer Hennessey apologized for her absence and noted that she is currently being treated for skin cancer. **Select Board unanimously adjourned at 5:55 pm.**

A true attested copy,

Karly A. Perry, Town Clerk