Town of West Bath
Special Select Board Meeting Minutes
Friday, May 24, 2024

Town of West Bath Select Board:	Madelyn Hennessey, Chair -	**Present**
	Suzanne Andresen	**- Present**
	Kathleen Lavallee	**- Absent**
Town Staff Present:	Kristine Poland, Town Administrator	
Public:	David Hennessey, Jane Weir, Jennifer Watson, Mark Watson, Juanita Wilson, Steve Winter	

A special meeting of the Select Board was held at the Town Hall, **Wednesday, May 24, 2024, at 1:00 pm.**

I. CALL TO ORDER

II. ATTENDANCE AND ESTABLISHMENT OF QUORUM

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

1. Approval of Minutes
   a. May 15, 2024
   b. May 16, 2024
2. Approval of Warrants
   a. Municipal
   b. School
3. Upcoming Select Board Meeting:
   Thursday, May 30, 2024, 5:30pm, West Bath Town Hall

Municipal Officer Andresen moved, seconded by Municipal Officer Hennessey, to accept the consent agenda as presented. Select Board unanimously approved.

V. OLD BUSINESS (BOARD OF ASSESSORS)

1. Review Proposal From Mid-Coast Appraisal LLC for Annual Assessment Maintenance

The Board reviewed the proposal. Ms. Poland noted that she also sent the proposal to Juanita Wilson, who submitted her comments. Municipal Officer Hennessey reviewed the scope of work to include requested materials and services to be provided. Site visits will be charged at $175/each with office work billed at an hourly rate of $100. In addition, island properties would require support services necessary for assessment.

Municipal Officer Hennessey moved to approve the proposal.

Municipal Officer Andresen asked how soon the work could be completed. Jennifer Watson recalled previous conversation requesting that work be completed by August 1, noting that effort would be taken to complete work as soon as possible. Municipal Officer Andresen noted that there are currently funds designated for work in the FY 2023/2024 budget and asked Municipal Officer Hennessey if it would be acceptable for the contractor to bill in advance to utilize this allocation. Municipal Officer Hennessey expressed concern with billing ahead for work not completed.

Ms. Watson stated that appraisal work is typically billed up front. She then expressed her understanding for the constraints of municipal work.

David Hennessey asked if the flat fee for site visits is regardless of the type of visit. The Watsons confirmed that this is for simplicity, noting that while a deck or garage may take less time a full house would take significantly more and would inevitably wash out the cost per site. Ms. Watson noted that they would not

be charging mileage between sites. Mr. Hennessey suggested the Board supply a down payment from this year's budget.

Municipal Officer Andresen spoke in favor of paying the site visit fees up front with office work billed at a later date, to which Municipal Officer Hennessey agreed.

Municipal Officer Andresen moved, seconded by Municipal Officer Hennessey, to accept the proposal as presented with the amendment of upfront billing and payment for 83 building sites at a rate of $175/each with the hourly rate for office work to be paid upon completion. Select Board unanimously approved.

2. Review of Draft Request for Proposals for a Contract Assessor's Agent
Municipal Officer Hennessey moved to approve as presented. Municipal Officer Andresen asked if the start date should be changed to July 1. Ms. Poland stated that the Board had not decided, which is why this piece was highlighted, noting that the deadline for proposals would also determine how soon someone could start. Ms. Wilson suggested that the Board allow at least two weeks for proposals. Municipal Officer Andresen suggested that the Board meet the last week of June to review proposals.

Municipal Officer Hennessey reviewed that proposals will be due by June 20th at 2pm with the term of the contract to begin July 1st through December 31st. Municipal Officer Andresen asked if language to continue be included in the RFP, to which Municipal Officer Hennessey asked that the RFP remain as simple as possible with the option to be communicated at a later date.

Municipal Officer Hennessey moved, seconded by Municipal Officer Andresen, to approve the contract as amended. Select Board unanimously approved.

3. Applications for Abatement of Property Taxes, Status Update
Ms. Poland reviewed the updated list, which includes a written statement from one of the property owners who is not satisfied with the recommendation of Parker Appraisal. She then recalled a conversation with Mr. Newman, who was satisfied with the recommendation of Parker Appraisal but hesitant to put this in writing.

VI. NEW BUSINESS (BOARD OF ASSESSORS)

1. Act on Recommendation From Parker Appraisal on the Following Application for Abatement of Property Taxes:
   a. Robert Newman, Dam Cove Road, Land Only (R06-044-E)
   Municipal Officer Hennessey moved, seconded by Municipal Officer Andresen, to approve the abatement as presented with an old value of $359,000 and a new value of $134,600 for an abated value of $224,400 and an abated tax of $1525.92. Select Board unanimously approved.

Municipal Officer Andresen asked if Mill Cove LLC has submitted an appeal. Ms. Poland stated that no appeal has been filed, however the applicant has been in contact with the Town Clerk.

Municipal Officer Andresen asked if the State Road LLC appeal had been finalized, which Ms. Poland confirmed was approved on Wednesday.

Ms. Wilson expressed confusion regarding an appeal to the Board of Assessment Review, noting that the window for appeal has closed. Ms. Poland explained that because an extension was given that also extends the period for appeal. Ms. Wilson stated that the timeframe for an appeal to the Board of Assessment Review is rigid due to State statute and suggested reaching out to the attorney.

Municipal Officer Andresen asked Ms. Wilson if applicants who had not settled their abatement application with the Board of Assessors were no longer eligible to appeal that decision to the Board of Assessment

Review. Ms. Wilson stated her opinion that the window for appeal to the Board of Assessment Review had in fact closed and could only be addressed by the Board of Assessors.

Municipal Officer Andresen spoke to the need for the Board of Assessors to have a completed manual in order to act on the remaining Applications for Abatement and asked Ms. Poland to confirm with the Town Attorney the current standing for appeals, to which she agreed. Municipal Officer Andresen asked Ms. Poland to consult with the Attorney on how best to expedite the submission of missing material from Parker Appraisal, which Ms. Poland agreed.

Jane Weir suggested that the Attorney assist in drafting a letter to those with outstanding abatement applications. The Select Board agreed that all communications should be made on the advice of the attorney.

Municipal Officer Andresen spoke of the need to for the Town to move forward with legal action against Parker Appraisal.

VII. NEW BUSINESS (SELECT BOARD)

1. Unassigned Fund Balance (Surplus), Capital Accounts, and Lapsing Funds

Municipal Officer Hennessey recalled a conversation from Town Meeting regarding surplus funds. The Town has traditionally carried over certain funds such as those for General Assistance and Marine Resources. The absence of such articles ensures that unexpended funds will lapse into surplus. She noted that the Board was approached by the chair of the Budget Advisory Committee asking to amend the article. The Town Clerk and Town Administrator advised that language cannot be amended on the floor.

Municipal Officer Andresen asked the total amount. Municipal Officer Hennessey stated that the Treasurer suggested $250,000 as a safe amount to be considered for allocation.

Ms. Poland clarified that the request is to take this money from carry forward or from capital. Mr. Hennessey stated that these are carry forward amounts from Fire Capital, General Assistance and Marine Resources which he would like to be applied to reducing tax commitment. Ms. Poland confirmed that General Assistance and mooring fees will lapse at the end of this fiscal year and become available in surplus to be applied to the commitment to reduce taxation. The carry forward funds from the Fire Department to the Fire Department Capital Reserve is also at the discretion of the Select Board at the time of commitment and does not require a vote at Town Meeting. The decision can be made now or at tax commitment.

Municipal Officer Andresen noted the increase in salary for the Fire Department and stated her preference to address the item. Mr. Hennessey stated that he was hoping to clarify this for the legislative body of Town Meeting so they would have a better understanding of how the article was being funded.
Municipal Officer Andresen asked if there was any difference on whether a motion was made during the meeting or at a later date. Ms. Poland clarified that there is no difference as any changes would be effective after July 1.

Municipal Officer Hennessey moved to authorize the Treasurer to move unspent monies from the capital account, the general assistance account, and the shellfish warden account to be applied to the revenue for tax year 2024/2025. Ms. Poland clarified that funds do not need to be transferred from moorings as these funds will automatically lapse into surplus. The Fire Department Capital Reserve is the account which the Treasurer will need to address.

Municipal Officer Andresen moved, seconded by Municipal Officer Hennessey, to reallocate funds from General Assistance and moorings and up to a total of $250,000 from the Fire Department Capital Fund to be allocated to the 2024/2025 tax commitment. Mr. Hennessey noted that this change was made to the budget as these accounts have continuously grown over the years without being utilized. Municipal Officer Andresen asked if it would be appropriate to itemize the amounts coming from each

account. Ms. Poland noted that Ms. House is not in the office, and the audit has not been completed, therefor exact figures are not yet available. **Select Board unanimously approved.**

2. Town Administrator's Report

VIII. SELECT BOARD COMMENTS AND ANNOUNCEMENTS

Municipal Officer Hennessey noted correspondence from the Maine Town and City Tax Collector's Association announcing that Julia House has recertified as Tax Collector, acknowledging the many hours of training necessary for completion.

Municipal Officer Hennessey moved to extend formal congratulations to Ms. House on her accomplishment.

IX. PUBLIC COMMENT

Mr. Hennessey thanked Ms. House for organizing the Town Hall cleanup and requested that the Board allocate up to $500 on mulch and other items for the front of the building.

Municipal Officer Hennessey moved, seconded by Municipal Officer Andresen, to thank Julia House and allocate up to $500 from Select Board's contingency fund for mulch and other garden supplies. Mr. Hennessey expressed concern that there are two plaques that are covered with grass. Municipal Officer Hennessey acknowledged that a new contract for lawn maintenance is upcoming. Mr. Hennessey stated that lawn maintenance should be addressed with the current contractor, to which Municipal Officer Andresen agreed. **Select Board unanimously approved.**

Municipal Officer Hennessey asked that lawn care be addressed as a future agenda item.

X. FUTURE AGENDA ITEMS

Municipal Officer Andresen stated that the attorney handling the Town Administrator's contract is not available for June 6. She suggested that the Board wait to set a date until the full Board is available.

Ms. Weir observed concern with the Select Board struggling with motions and suggested that the Board come up with a way to propose and review motions prior to meetings. Municipal Officer Andresen expressed her appreciation and noted that prolonging decisions to craft motions would delay items significantly. Municipal Officer Hennessey expressed difficulty in preparing as so much discussion is done at the Select Board meeting.

XI. ADJOURNMENT

Municipal Officer Hennessey moved to adjourn. Select Board adjourned by unanimous acclamation at 1:42 pm.

A true attested copy,

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Karly A. Perry, Town Clerk