

MINUTES
BRISTOL BOARD OF SELECTMEN MEETING
July 29, 2010

PRESENT: Chairman Rick Alpers; Selectmen Jeff Shackett, Phil Dion, Joe Denning; Town Administrator Michael Capone; Assessing Assistant Christina McClay

At 6:16 PM, Chairman Alpers opened the Cell Tower Project Public Hearing.

Cell Tower Public Hearing

Chairman Alpers explained that it is State Law to hold two public hearings no less than ten (10) days but no more than 14 days apart to discuss the contract highlights with MTS Realty, LLC (parent company)/Maxton Technology, Inc. to erect a cell tower on town owned property on Chestnut Street. The first meeting was held July 15, 2010. Steve Kelleher, Site Acquisition Specialist from Maxton Technology and Pete Demarco from Demarco Associates attended the meeting to answer any questions or concerns. The same major points/benefits of the contract to be considered are the following:

- MTS/Maxton agrees to purchase and install new equipment for emergency services and town related functions, which is an approximate cost of \$53,000 and a great service to the Town. In addition to the purchase, Maxton also agrees to give the Town the top of the tower.
- The Town will abate rent for 48 months. After this time frame, the rent will be \$850 per month with ten percent (10%) increases every 5 years. The COLA fee or rental fee for each Broadband Tenant will be \$250 per month for each carrier after the initial one.
- If MTS/Maxton gives notice and chooses to leave, they will deed over the tower and leave for the Town's usage.
- The Cell Tower will provide better cell phone coverage. (An additional tower is planned for the Route 104 area)
- The structure is taxed, adding additional revenue.

Questions from the public included the following:

- Would this affect the valuation of abutting land? Steve Kelleher indicated that he was unaware of any changes and that the tower is not as visible in the immediate vicinity as it would be from other locations. Chairman Alpers indicated that anyone who is concerned with the valuation of their property has the right to apply for abatement.
- What time stipulation is there on the contract? Once the contract is executed, Maxton has 90 days to file all of the appropriate permit applications and paperwork. Once the appropriate approvals are received, Maxton has another 90 days to completion construction. Steve Kelleher indicated that Maxton plans on Fall construction.
- How long will the Planning Board process be? The Planning Board has specific time frames to accomplish an application, either approving or denying. There is no indication that there will be delays through this process.

- How many contracts are committed to the tower currently? Steve Kelleher indicated that Maine PCS, as part of their company, is the only committed carrier currently. There are other carriers interested, but no contracts until the process is approved and finalized.
- Are there any safety issues? Steve Kelleher and Pete Demarco indicated that there will be testing completed to determine the Maximum Permissible Exposure due to frequencies and number of potential antennae. It is not anticipated that this location will harbor any issues and will fall under the permissible amounts.
- Is the tower a monopole or lattice tripod? Steve Kelleher stated that it is a self supporting tripod style.

Once the contract is signed and the Planning Board application is received, the abutters will be notified and allowed to participate in the application process. Hearing no further questions/comments regarding the Cell Tower Project/Contract, the public hearing portion of the Selectmen's Meeting was closed at 6:37 pm.

Sewer to the Lake Project Update

Town Administrator Michael Capone submitted a memo to the Board with regards to a timeline for bond hearings and the public hearing should the Board agree to move forward with the Sewer to the Lake Project. He also submitted two versions for the warrant article for the Board's consideration. The potential date is August 28, 2010 for the public hearing. The Board feels that even though this is Old Home Day, that a 1:00 meeting would not interfere with the majority of the events. Town Administrator Capone will confirm with the Newfound Regional High School (NRHS) with regards to using the auditorium. He will also contact Burt Williams, Ned Gordon, Raymah Simpson (having Raymah contact the Supervisors of the Check List) and any other applicable party to attend. Selectman Shackett will have signs made to advertise once the location and time is confirmed.

Assessing – Taxation of Travel Trailers

In an attempt to be consistent, Assessor Phil Bodwell, submitted a memo to the Board to review and determine the appropriate action for assessing travel trailers at Davidson's Campground, located on Schofield Road off of River Road in Bristol. Chairman Alpers explained that if travel trailers are permanent, skirted in place, tires sometimes removed, roofing sometimes installed and decks attached that they are being assessed as property. An example of this is the Bristol Shores Campground. Assessor Bodwell indicated that there are four criteria used in determining whether or not to assess trailers as buildings: 1. Intended to be more or less permanent, 2. Are more or less completely enclosed, 3. Used as a dwelling, storehouse, or shelter, and 4. Intended to remain stationary. Currently the property is assessed if a deck/porch is located on the site. The trailers themselves are not. The Board agreed that the Town should be consistent and if the trailer meets these criteria, then they should be assessed as buildings and agree with the recommendation of Assessor Bodwell to update these changes for 2011.

Public Comments

Francis Hazelton, former owner of 429/431 West Shore Road, attended the Board meeting to discuss options for trying to repurchase his tax deeded property. Mr. Hazelton fell behind on his taxes and got overwhelmed and lost his property to the Town. He would like the Board to consider his request to pay the back taxes, fees and interest in the amount of approximately

\$10,000. He indicated that he could not pay the penalty. Town Administrator Capone advised the Board that Mr. Hazelton had previously submitted a proposal on July 27th to make payments on the amount owed and then just prior to this meeting submitted a second proposal to pay the \$10,000. He also stated that Mr. Hazelton was advised by both himself and Assistant McClay that the Board had not received or reviewed either of these offers and would be viewing them for the first time at tonight's non-public session. Mr. Hazelton further pleaded his case, asking the Board to consider his second request and that he would be able to pay by August 12th. Chairman Alpers inquired if Mr. Hazelton could allow the Board to review the information. He stated that the Town needs to be consistent, but will review and discuss and have Town Administrator Capone or Assistant McClay advise Mr. Hazelton of the Board's final decision.

Town Administrator Capone updated the Board with regards to cruiser two (2) losing its transmission. Interim Chief Lewis received an estimate for repair totaling \$3,140. The line item budget for repairs is already overspent, therefore, the Chief is inquiring on spending contingency to repair. The normal criteria for using contingency funding is to cover emergency or unplanned expenditures with notification to the Budget Committee when using. Possible options are to replace the transmission or to turn the former Chief's car into a duty car. The Board chose to table the decision on the replacement for review of other options. Town Administrator Capone will discuss with the Interim Chief and update the Board as needed.

Minutes

Selectman Denning motioned to approve the July 22, 2010 minutes as presented, 2nd by Selectman Dion, the motion passed with an all in favor vote.

At 7:14 PM, upon motion by Selectman Denning, 2nd by Selectman Dion, the meeting was adjourned with an all in favor vote.

Respectfully submitted,

Christina McClay
Assessing Assistant

Rick Alpers, Chairman

Jeff Shackett, Vice-Chairman

Joe Denning, Selectman

Don Milbrand, Selectman

Phil Dion, Selectman