

**TOWN OF ROME, MAINE  
BOARD OF SELECTMEN  
FEBRUARY 29, 2016  
MINUTES**

Selectman Kelly Archer called the meeting of the Board of Selectmen to order at 7:04 p.m. in the Selectmen's Office at the Rome Community Center in Rome. Selectmen Archer, LaBelle, and Charles were present. A quorum was declared. Also present at all or parts of the meeting were Kimberly Brooks, Fred Gagnon, Tammy Lyons, Andrew Marble, and Kathleen Ross.

Charles/Archer            Motion to accept minutes for February 22, 2016, selectmen's meeting  
Archer, LaBelle, Charles in favor (3-0)

The Code Enforcement Officer provided a brief report. The Board of Appeals is scheduled to begin hearing the appeal regarding Camp Caruso/David Porter Trust on Monday, March 14, 2016 at 6:30 p.m. The hearing will be held at the Rome Community Center.

Municipal Attorney Frank Underkuffler wrote an opinion regarding the process of review being line appealed versus *de novo*. The position of the municipal attorney and the Code Enforcement Officer is that the appeal should be heard *de novo*.

Attorney Underkuffler drafted an article for consideration to be inserted in the Town Warrant. The "Amendment to Town of Rome Wireless Services Facilities Ordinance" would rely on the previous ordinance, should the current ordinance be found in violation of the Federal Telecommunications Act.

LaBelle/Archer            Motion to approve the "Amendment to Town of Rome Wireless Services  
Facilities Ordinance" for insertion into the Town Meeting Warrant.  
Archer, LaBelle, Charles opposed (0-3)

Planning Board Co-chair Dick Greenan sent an email to inquire as to the payment status to sound firm Bodwell by Camp Caruso/David Porter Trust. The invoice still remains unpaid. The Board of Selectmen has requested Code Enforcement Officer Andrew Marble to contact the attorney representing Mr. Porter.

LaBelle/Archer            Motion to agree to the dismissal of cases involving Global Towers Assets,  
LLC with no claim to damages or expenses.  
Archer, LaBelle, Charles in favor (3-0)

Charles/Archer            Motion to approve payment to Attorney Underkuffler for the written opinion  
regarding the process of the Board Appeals and hearing of Camp  
Caruso/David Porter Trust permit with the stipulation that the town incurs no  
additional billable hours with regards to Camp Caruso.  
Archer, LaBelle, Charles in favor (3-0)

Tax Collector & Treasurer Tammy Lyons informed the Board that there is a balance of \$1,980.16 in the Global Towers-designated legal fund.

LaBelle/Charles        Motion to authorize payment to Skelton, Tainter, & Abbott for services rendered regarding the Global Towers case.  
Archer, LaBelle, Charles in favor (3-0)

Assistant Kimberly Brooks informed the Board that resident Kathy Bangs notified the office of Dry Point Drive not being posted. The complaint was forwarded to the Road Commissioner and will be resolved. The Road Commissioner ran out of “posted” signs and is awaiting delivery.

Road Commissioner is not present; there is no report.

Town Clerk Lois Stratton provided the Board with an update on dog licensing through today. 2016 licenses have been issued for 181 dogs and two kennels. Stratton also provided the Board with copies of the unlicensed dog list. The list was shared with Animal Control Officer Kathleen Ross for the purpose of issuing summonses.

LaBelle/Charles        Motion to cease discussion regarding the Town Clerk’s Report.  
Archer, LaBelle, Charles in favor (3-0)

Excise Tax Collector Kimberly Brooks provided an update on the state of her office. She has attended training for expanding authorization. She is awaiting delivery of license plates. Under her new authorizations, she will be subject to BMV audit for the next six months. The Deputy Excise Tax Collector will be unable to issue plates should the Excise Tax Collector be out of the office unless the deputy participates in BMV-provided training.

Excise Tax Collector Brooks notified the Board of an error in a motor vehicle registration. Resident Frederick Gagnon overpaid excise taxes by \$62.32 on a 2015 transaction. This was an error of the office and was brought to Mr. Gagnon’s attention as he filed his income taxes.

LaBelle/Charles        Motion to reimburse Fred Gagnon in the amount of \$62.32, to be drawn from the contingency account.  
Archer, LaBelle, Charles in favor (3-0)

Selectman Malcolm Charles provided an update on local oil prices. He phoned several vendors, but was unable to speak with anyone directly regarding the potential contract of No. 2 fuel.

Charles/Archer        Motion to table decision regarding fuel contract until next meeting to research competitor pricing and possibly negotiate one year contract with Fabian Oil.  
Archer, Charles in favor; LaBelle abstain (2-0-1)

LaBelle/Archer        Motion to accept the invitation to enter into discussion with the Belgrade Board of Selectmen to discuss the relationship with RSU 18.  
Archer, LaBelle, Charles in favor (3-0)

Selectman Richard LaBelle stated that there were two errors in the printing of the Town Meeting Warrant. Article 9 should have been \$5,500 and Article 52 should have been \$2,000. These amounts were motioned and approved; however the changes were not made to the warrant. In order

to legitimize these amounts for consideration at Town Meeting, a new warrant needs to be signed. These were the amounts approved by both the Board of Selectmen and Budget Committee.

Archer/Charles            Motion to sign new Town Meeting Warrant with correct amounts.  
Archer, LaBelle, and Charles in favor (3-0)

LaBelle/Charles            Motion to table appointments of Planning Board until March 21, 2016.  
Archer, LaBelle, Charles in favor (3-0)

Three members of the Board of Appeals are subject to term expiration. Selectman Kelly Archer states that all of the Board of Appeals members were reviewed at appointment in 2015.

LaBelle/Charles            Motion to appoint Edwin Charles to a one year term as member of the Board of Appeals & Fair Hearing Authority.  
Archer, LaBelle, Charles in favor (3-0)

LaBelle/Charles            Motion to appoint Joan Orr to a one year term as an alternate member of the Board of Appeals & Fair Hearing Authority.  
Archer, LaBelle, Charles in favor (3-0)

Charles/Archer            Motion to appoint Charles Randall, Jr. to a one year term as an alternate member of the Board of Appeals & Fair Hearing Authority.  
Archer, LaBelle, Charles in favor (3-0)

Charles/LaBelle            The meeting be adjourned.  
Archer, LaBelle, Charles in favor (3-0)

Meeting adjourned at 8:32 p.m.

Respectfully submitted,

Kimberly R. Brooks  
Assistant to the Selectmen

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Kelly Archer, First Selectman

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Richard A. LaBelle, Second Selectman

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Malcolm Charles, Third Selectman