

Select Board Meeting / Public Hearing
May 1, 2024
6:00 P.M.
117 Academy Road - Meeting Room

AGENDA

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes: April 17, 2024
3. Department Reports
4. Select Board Reports
5. Public Comment
6. To consider the installation of public kayak storage racks at the town beach
7. Public Hearing: Amendments to the Road and Street Ordinance and take any resulting action.
8. Public Hearing: Proposed Town Beach Ordinance.
9. To consider a request from Debbi Farrell to become an alternate member of the Cobbossee Watershed District Board.
10. To consider authorizing the sale of a tax acquired parcel located on Wilson Pond Road.
11. FY 23/24 Warrant #21
12. Adjourn

Join Zoom Meeting

<https://zoom.us/j/99514070082?pwd=RjNJRUVyZkZoczZtVGhQZDM4WmJEdz09>

Meeting ID: 995 1407 0082

Passcode: 629155

One tap mobile

+16468769923,,99514070082#,,,,*629155# US (New York)

+16469313860,,99514070082#,,,,*629155# US

Dial by your location

+1 646 876 9923 US (New York)

Meeting ID: 995 1407 0082

Passcode: 629155

TOWN OF MONMOUTH

BOARD OF SELECTMEN

Meeting Minutes – April 17, 2024

BOARD MEMBERS PRESENT: Doug Ludewig-Chair; Kristin Sanborn-Vice Chair; Joseph O'Donnell; Kent Ackley; Mark Burgess - Board Members
STAFF-PRESENT: Paul Ferland-Police Chief

1. **Call to Order and Pledge of Allegiance.** The meeting was called to order at 6:00 pm by Doug, along with the Pledge of Allegiance.
2. **Approval of Minutes – April 3, 2024.**
MOTION: By Kent, seconded by Kristin to approve the minutes with the corrections.
VOTED: 5-0 (passed)
3. **Department Reports. Ferland- Police Chief.** Read the summary of calls for the month of March for a total of 368 calls for service.
4. **Select Board Reports. Mark-** At 3pm on this date, he noticed 2 young people on bikes at the door of this building. They obviously had the code to get in and he was hoping Dan Roy was going to be present to inquire if they were volunteer fire fighters that were coming in to use the gym. He also inquired about a camera system in the lobby of the 117 Academy building and the lobby at the town office. Kent asked that this be an agenda item for the next meeting. There is concern that young people have the code and are in the building unattended. There has been an issue with Zoom, but it has been resolved. **Kent-**Received an email of thanks from a Pease Hill resident for the grading and gravel. The board has been asked to sign a letter of support for an application for more congressional funding through Senator Collin's office for the N Monmouth water project. There have been recent changes to what is acceptable for PFAS levels in drinking water. In Maine it was 20 parts per billion and now the federal government after 4 years of research has lowered it to 4 parts per billion. Our testing will need to be done again. For those residents that have filtration systems in place now, they may no longer be adequate. The town water system already meets the new standards. It's close to undetectable. In a survey, 60-75% of North Monmouth residents would be willing to pay a fee for public water services. This was at the old safety standard.
5. **Public Comment.**
6. **To consider appointing Stanley Walker to the Trails Committee.**
MOTION: by Kristin seconded by Kent to approve the appointment.
VOTED: 5-0 (Passed)
7. **To consider appointing Christopher Bryant to the Trails Committee.**
MOTION: by Kent, seconded by Kristin to approve the appointment.
VOTED: 5-0 (Passed)
8. **FY 23/24 Warrant #20.**
MOTION: By Kent, seconded by Kristin to approve warrant #20.

VOTED: 5-0 (Passed)

9. **Adjourn.**

Motion by Kent, seconded by Kristin to adjourn at 6:53 pm

Voted 5-0 (Passed)

Respectfully submitted.

Darsi Simond, Recording Secretary

**2024 AMENDMENTS TO THE MONMOUTH STREET AND ROAD ORDINANCE
REGARDING SIDEWALKS**

The Street and Road Ordinance of the Town of Monmouth shall be amended as follows (additions are underlined and deletions are ~~struck-out~~):

• • •

SECTION 5. SIDEWALKS

- 5.1. Drainage and discharge on streets and sidewalks prohibited.** No person shall empty, drain, or otherwise discharge water or other liquid from private property onto, into, or across a public street or sidewalk, unless expressly permitted by the Public Works Director.
- 5.2. Enforcement; penalties.** This Section shall be enforced by the Code Enforcement Officer. Violations of this Section shall be considered civil violations, which shall subject the violator to a civil penalty of \$100 for the first offense, \$200 for the second offense, and \$400 for the third and all subsequent offenses. The Town may recover such civil penalty by civil action in District Court or Superior Court. Should the Town be the substantially prevailing party in any enforcement action taken to enforce the provisions of this Section, the Town shall be entitled to reimbursement of its costs, including reasonable attorney's fees.

Town Beach Ordinance
Of the
Town of Monmouth, Maine

ENACTED: _____

CERTIFIED BY: _____

Signature

CERTIFIED BY: _____

Printed Name

Title

**Town Beach Ordinance
of the
Town of Monmouth, Maine**

TABLE OF CONTENTS

A. GENERAL PROVISIONS	1
B. DEFINITIONS	1
C. ADMINISTRATION	1
D. BEACH USE	2
E. BEACH ACCESS	2
F. BEACH SAFETY	3
G. ENFORCEMENT	4
H. PENALTY	4
I. CONFLICTS WITH OTHER ORDINANCES	4
J. SEVERABILITY	4
K. ABROGATION	5
L. APPENDICES	5

Special thanks to the Towns of Otisfield, Poland, Sebago, Turner, Winthrop, York and Readfield; whose public beach ordinances were referenced in the drafting of this Ordinance.

1. GENERAL PROVISIONS:

- A. This Ordinance shall be known and may be cited as the “Town Beach Ordinance” and will be referred to herein as this Ordinance.
- B. The purpose of this Ordinance is to provide for the enjoyment, health, welfare and safety of all persons using the Town Beach; to provide a means of maintenance, operation and protection of the Town Beach; and to provide a family-oriented atmosphere for lawful users of the Town Beach. The Town of Monmouth is further committed to maintaining accepted environmental standards to preserve the ecological quality of the Town Beach and waterways for future generations.

2. DEFINITIONS

Beach Pass - Any pass issued by the Town of Monmouth granting access to the Town Beach. Beach passes may be issued for different user groups and for different periods of time.

Emergency - Shall be defined to mean any event which threatens to or actually inflicts damage to people or property and which requires immediate action to mitigate, prevent, control or contain.

Town Beach - As referenced in this Ordinance shall mean the property as a whole, identified as Map 51 and Lot 7 in the Town of Monmouth Tax Maps; consisting of approximately 2.9 acres of land and accompanying water frontage on Cochnewagon Lake; including the traditional beach area, recreation areas, swimming area, parking areas, physical infrastructure, and undeveloped areas of the premises, excluding the boat launch facilities and parking area.

Non-recreational Use - Any use or activity that is not directly related to recreation or includes a component not directly related to recreation. This includes but is not limited to commercial activity, sales, solicitation, petitioning, and political activity.

User(s) - Any individual(s) permitted to use the Town Beach through a valid Beach Pass.

3. ADMINISTRATION

- A. The Town Manager shall delegate the day-to-day responsibilities pertaining to maintenance, operation, and general stewardship of the Town Beach. Town Staff shall assist with the maintenance and operation of the Town Beach as appropriate given their respective roles and responsibilities. The Town Manager may propose to the Select Board revisions of this Ordinance and any rules and regulations subsequently adopted by the Select Board pursuant to this Ordinance to ensure enjoyment, health, welfare and safety of all persons using the Town Beach as well as the stewardship of the Town Beach property.

B. The Select Board shall adopt Beach Rules, regulations and fees not inconsistent with this Ordinance, to more specifically regulate the use of the Town Beach. These rules and regulations, consistent with the ordinance, shall be posted in a manner reasonably notifying Town Beach users of the rules and regulations, and shall have the full force and effect of the law. Any duly adopted rules or regulations shall be included as appendices to this Ordinance.

4. BEACH USE

A. Unless otherwise specified use of the Town Beach is limited to Monmouth residents and non-resident taxpayers and their accompanied guests, with a valid and displayed Beach Pass, and to non-residents and their accompanying guests with a valid and displayed Beach Pass.

B. Annual Beach Passes shall be free to documented Monmouth residents and non-resident taxpayers. Non-residents are not guaranteed a Beach Pass and shall be assessed a fee. Beach Passes shall be available at the Town Office and from Beach Staff (when present). Users not covered by an Annual Beach Pass shall be required to have a Guest Pass.

C. Beach passes shall be of the following categories:

- i. Annual - Issued only to Monmouth resident and non-resident taxpayer households, valid for the entire year following issuance;
- ii. Weekly - Guest pass valid for seven days, including the day of issuance;
- iii. Daily - Guest pass valid for the day of issuance;
- iv. Event - Guest pass valid for the duration of an event (i.e. afternoon birthday party).

D. All users of the Town Beach must follow the provisions of this Ordinance and any Beach Rules or regulations adopted by the Select Board.

E. Use of the Town Beach for special events or activities shall require a Town Beach Event Permit to avoid conflicting uses, conflicting schedules, and over-use of the Town Beach. Town Beach Event Permits, if approved, shall be issued by the Town Manager.

F. Town-sponsored activities or events shall have priority for the use of all facilities over general recreational use or events.

G. Non-recreational use of the Town Beach is prohibited outside of designated non-recreational use areas. Determination of what constitutes non-recreational use, and any limits to these uses including the designation of non-recreational use areas, shall be at the discretion of Beach Staff or the Town Manager.

5. BEACH ACCESS

- A. Town Beach seasons, days, and hours of operation shall be set under section 3 of this Ordinance. Use of the Town Beach outside of these seasons, dates, and times is prohibited unless otherwise specified.
- B. Use of the beach parking area shall be limited to vehicles displaying valid Beach Passes between June 15 and September 15 between the hours of 9am and 5pm. The beach parking lot shall be open for general parking (no Beach Pass required) outside of these dates and times. All other parking provisions shall be established by the Select Board under M.R.S. Title 30-A §3009 and §4452, and M.R.S. Title 29-A §2395 and §2388.
- C. Access to the Town Beach from any vessel is prohibited.
- D. Snowmobile and other recreational vehicle access shall be allowed on the marked trails only, and only when the ground is solidly frozen.

6. BEACH SAFETY

- A. Persons using the Town Beach shall do so at their own risk. While Beach Staff may be trained in CPR, Lifeguarding, and other relevant skills, Beach Users should always assume that no trained staff are present or available.
- B. Water testing at the Town Beach may be conducted at the discretion of Beach Staff or the Town Manager.
- C. The Town Manager, or in the Town Manager’s absence the Town’s Emergency Management Director or Beach Staff, shall have the authority to close the Town Beach in an emergency in order to protect public health and safety. The order may be issued verbally or in writing, and shall be as narrow or broad as is necessary to protect the public. Situations where beach closure may be warranted also include, but are not limited to: any time a Town, County or State disaster proclamation is in effect; during times of potential or actual thunder and lightning; and when water pollution is excessive. Closures may be limited or partial.

7. ENFORCEMENT

This Ordinance may be enforced by any duly authorized law enforcement officer, as well as Beach Staff, the Town Manager or designee, and other individuals specifically designated by the Select Board.

8. PENALTY

- A. Any person found in violation of this Ordinance or subsequently adopted rules or regulations by any individual identified in Section 7 of this Ordinance may be subject to:

- i. Beach Pass revocation. Revocation may be temporary or for the full term of the Beach Pass.
 - ii. A fine payable to the Town of Monmouth. Each individual occurrence or infraction shall be considered a separate violation.
- B. First time and minor violations of this Ordinance or subsequently adopted rules or regulations not involving any property damage, injury, or cost to the Town of Monmouth shall be enforced by means of a verbal or written warning issued by Beach Staff, or the Town Manager or designee.
- C. Second and subsequent violations may be subject to a fine in an amount established by the Select Board, but not more than \$100 per violation.
- D. Any violations that result in any property damage, injury to others, or results in any expenses to the Town as a result of the violation shall be subject to a fine, payment of actual costs and damages, and may be subject to the issuance of a summons for such violations. The summons will notify the alleged violator of the date, time and court in which the notice of violation will be heard. If the Town prevails in any enforcement action under this section, it will be entitled to an award of its costs of prosecution, including its reasonable attorney's fees, in addition to penalties and any costs of repair or replacement resulting from the violation.

9. CONFLICTS WITH OTHER ORDINANCES

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other Ordinance, regulation or statute, the more restrictive provision shall apply.

10. SEVERABILITY

The invalidity of any section or provision of this Ordinance shall not be held to invalidate any other section or provision of this Ordinance.

11. ABROGATION

This Ordinance repeals and replaces any relevant municipal ordinance, portion thereof, or legislative action previously enacted.

12. APPENDICES

The list of Appendices to this Ordinance and their content may be amended from time to time by vote of the Monmouth Select Board:

- A. Rules of the Monmouth Town Beach*
- B. Town Beach Pass Application*
- C. Town Beach Event Reservation Application*
- D. Town Beach Map*

Justin Poirier

From: Debbi <debbi.lou@hotmail.com>
Sent: Friday, April 12, 2024 12:09 PM
To: Justin Poirier
Subject: Cobbossee Watershed Trustee

Good morning,

I would be interested in serving as a trustee representing the town of Monmouth on the Cobbossee Watershed Board. I've spoke with Bill Monagle and he said these were town appointed positions and at this time Monmouth is fully represented but perhaps the Town would consider appointing an alternate, which I would be interested in.

I live on Cobbossee and served as secretary of the Cobbossee Lake Association for 20 years and served as a Lake Quality Monitor with Lake Stewards of Maine - Volunteer Lake Monitoring Program for 11 years.

Thank-you in advance for your consideration and I look forward to hearing from you.

Debbi Farrell
17 Foster Lane
Monmouth
207-215-4671

21 WILSON POND ROAD

Location 21 WILSON POND ROAD

Mblu 44/ 10/ 11

Acct#

Owner MARSHALL ROSE R

Assessment \$101,100

Appraisal \$87,900

PID 1458

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$56,700	\$31,200	\$87,900

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$65,200	\$35,900	\$101,100

Owner of Record

Owner MARSHALL ROSE R
Co-Owner LOMBARD ALBERT E
Address 108 WEEKS MILL ROAD
 WINDSOR, ME 04363

Sale Price \$0
Certificate
Book & Page 8396/0117
Sale Date 04/30/2005
Instrument 1A

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
MARSHALL ROSE R	\$0		8396/0117	1A	04/30/2005
MARSHALL ROSE R	\$31,000		4575/ 223	00	12/13/1993
BLAISDELL ARLAND HEIRS OF	\$0		2152/ 308	1N	

Building Information

Building 1 : Section 1

Year Built: 1980
Living Area: 480
Replacement Cost: \$71,804
Building Percent Good: 77

Replacement Cost

Less Depreciation: \$55,300

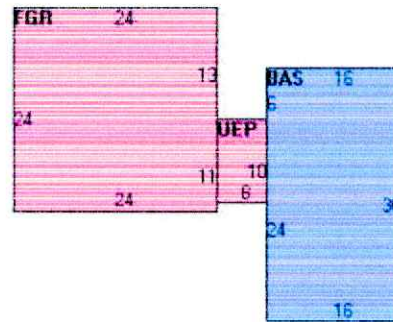
Building Attributes	
Field	Description
Style	Ranch
Model	Residential
Grade:	Average
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Board & Batten
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plywood Panel
Interior Wall 2	
Interior Fir 1	Carpet
Interior Fir 2	
Heat Fuel	Gas
Heat Type:	Hot Air-No Duc
AC Type:	None
Total Bedrooms:	0 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	2 Rooms
Bath Style:	Average
Kitchen Style:	Average

Building Photo



(<https://images.vgsi.com/photos/MonmouthMEPhotos/\00\00\04\98.jpg>)

Building Layout



(https://images.vgsi.com/photos/MonmouthMEPhotos//Sketches/1458_154)

Building Sub-Areas (sq ft)		Legend	
Code	Description	Gross Area	Living Area
BAS	First Floor	480	480
FGR	Garage, Attached	576	0
UEP	Porch, Enclosed, Unfinished	60	0
		1,116	480

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1010

Land Line Valuation

Size (Acres) 0.86

Description SFR MDL-01
Zone
Neighborhood 50
Alt Land Appr No
Category

Frontage 0
Depth 0
Assessed Value \$35,900
Appraised Value \$31,200

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			132 S.F.	\$700	1
SHD1	SHED FRAME			136 S.F.	\$700	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$56,700	\$31,200	\$87,900
2018	\$56,700	\$31,200	\$87,900
2016	\$70,600	\$31,100	\$101,700

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$56,700	\$31,200	\$87,900
2018	\$56,700	\$31,200	\$87,900
2016	\$70,600	\$31,100	\$101,700