

with his plow truck. It is not possible. He may not have gotten the truck back out again, and then no one would be plowed.

Dan stood to say this came up at every town meeting. Ronnie said no, that was a lie. Dan sat down. Doug Miller said that he remembered when there was a discussion of the camp road at one meeting. He understood that the town was not doing (plowing) private roads. Chris said that he has plowed the Grove Pond road because he did a driveway there and Ronnie had not plowed the road when he went in. Ronnie said that he is responsible for 191 first, fifteen hundred vehicles a day travel it every day. Then he plows the side roads. Danny Sullivan spoke about Ronnie helping him out, on more than one occasion. Danny Sullivan said that Dan has called when he is coming down their way, he has helped out. Danny's suggestion was - why don't we have a separate meeting to discuss this? Danny reminded everyone that we are all neighbors; we should try to find a fair way to discuss this.

Ronnie said the Town has not had a chance to vote on plowing these roads, let's give them a chance to vote on it. Chris McCormick said that every year, when you vote to pay for snow plowing, you have voted approval of the winter maintenance; it gives approval of the roads it pays for. Ronnie said that is not how the law works.

Stuart asked if there was a motion to close discussion: It was made by Dan Ackley

Vote by paper ballot: 18 to approve and 6 against
Ronnie Flood left the meeting.

The motion passed as written.

ART. 14. To see what sum the Town will raise and appropriate for the repair and upkeep of town roads. (Selectmen recommend \$10,000, plus State road Assistance Funds of \$9,012 for a total of \$19,012)

Explanation of Article 12: The State Funds for summer maintenance amount is not adequate for road maintenance.

Motion: to pass as written

Made by: Dan Ackley Seconded: Daniel Ackley

Discussion: None

Vote by raising hand: majority for and 0 against

The motion passed as written.

ART. 15. To see if the Town will vote to raise and appropriate \$25,000 for Administrative and Contingent Expenses for the ensuing year.

Explanation of Article 15: Selectmen recommend using excise taxes (estimate \$25,000) plus an additional \$25,000.

Ronnie Flood came back into the meeting to resign, told the town to find someone else to plow the roads, and it is snowing out.

Stuart re-read Article 15.

Motion: to pass as read

Made by: Dan Ackley Seconded: Daniel Ackley

Discussion: Dan explained that in the past, most of the funding was pulled from the general fund. That is why the general fund was drawn down, so much lower than it should have been. Now the select board wants to have the actual cost reflected.

Dan Ackley amended the motion to read as above plus "to dedicate excise taxes and to raise and appropriate \$25,000"

John Viselli said it covers everything, paying town officers, even the plowing and the town office. He said he is surprised that it costs that much, but it does. Stuart clarified

by repeating the motion: "To see if the Town will vote to dedicate excise taxes and to raise and appropriate \$25,000 for Administrative and Contingent Expenses for the ensuing year."

Vote by raising hand: Majority for and 0 against

The motion passed as read.

ART. 16. To see what sum the Town will raise and appropriate for Liability and Workmen's Compensation Insurance for all Town employees and Town officers.
(Selectmen recommend \$6,900)

Motion: to pass as written

Made by: Dan Ackley Seconded: John Viselli

Discussion: None

Vote by raising hand: majority for and 0 against

The motion passed as written.

ART. 17. To see what sum the Town will raise and appropriate for maintenance for the Cooper Volunteer Fire Department for the ensuing year. (Selectmen recommend \$8,000.)
(Fire Chief Note: this is for firefighter trainings, equipment improvements, and maintenance.)

Motion: to pass as written

Made by: Dan Ackley Seconded: Danny Sullivan

Discussion: Dave Timpe asked - Do we have some accountability? Dave said that is a lot of money. Dan Ackley replied that the town does not have charge of the fire Dept. Trevor Flood, fire chief, said they keep records. Doug Miller asked - is there any way we can save? Dave Timpe repeated that it has been a lot of money. Doug asked where is the money going for all the taxes we raise? Sandy had permission to step down for a minute: she asked the taxpayers to look at 2009 town report for school budget. The state of Maine gave us just over \$129,000. This past year it was about \$6,000. The difference is what our tax dollars pay. Sandy asked them to please talk to our representatives in Augusta. Beth Turner has been to Cooper three or four time last year, she is someone they can talk to.

Trevor spoke about Fire Dept. expenses: the new truck that the fire dept. bought and that they had to play catch up last year. The Fire Dept. asked for less this year. Whatever is not spent is still on the books. Replying to a previous comment: Trevor said he is not playing games. Dave Timpe said, yes they are playing catch-up. Dave said you can run it (the dept.) at whatever level you want. He believes that the current dept. is trying to get it to be a class that we don't have people for or the stamina to maintain. Dave said that it is impossible in a town that is shrinking. Trevor said he believes that they have philosophical difference. Trevor said that they will have to agree to disagree. Trevor is the youngest on the dept., and they are trying their best. Dave is not in the dept. They (the dept.) will do their best with what they have. Trevor said at this point, they would never run into a burning building. Dave asked - then why spend the extra money to get a class 9 fire dept.? Dave asked - so people can get a lower rate on their insurance? Dave said it was his opinion that it would only be a couple of dollars compared to how much we are putting into the dept. When asked, Trevor named the active members. Dave asked Trevor to look at the age and physical condition of each one? What does that tell you? Dave asked. Trevor said that he and Dave obviously have philosophical difference. Then Trevor stated that he needed to leave.

Daniel Ackley, outgoing Select Board, said that complete turnout gear is expensive, they just can't get by on only a little money. Dave Timpe said that you can if you use

second hand. Dave said that money will be spent on gear that will never get used because we have nobody who can do it.

Brenda Gove asked the voters to listen to Sandy if you wonder where the expense is. This is an investment that it wouldn't make much of a difference in our taxes, but she understands the need cut money where you can. Brenda said this is not where to cut.

Dave Timpe said he was perfectly happy doing it (being fire chief) and they had what they needed.

Norm Howe, Fire Dept. treasurer, said they have made vast improvements in getting everyone NIMS certified. They are getting the right equipment, doing what you need to get an inspection. The dept. needs to be ready because they won't come again for five years.

Laurie Pike, Tax Collector, said she moved here last year from Princeton and the homeowners insurance here will be as much now as it was for a larger house with a garage there. It is the fire dept. that makes the difference.

Karen Holmes, School Board, said the request for \$8,000 was not just brought out of thin air. The dept. knows what to expect for expenses. She respects Trevor and anyone who helps with the fire dept. and we should support them.

Norm Howe said that in the beginning, he did not agree with the amount last year, but there was a line item plan. He knows where that \$2,500 is not going to work either.

John Viselli said it was about \$10,000 the last year and this year is \$8,000 so they are asking for less.

Norm said he took over for Ray Ketchen ad treasurer, and for all those years every dollar spent is in there. He can bring the book over if anyone wants to see it.

Dave Timpe said he wants folks to think logically. What do we do with a building and equipment that will only get eaten by mice?

Bill Krigger Sr. said he remembers when former resident and school bus driver Jim Meehan lost his house to fire. It was a terrible thing. We ought to support the people who are trying to get to class 9. It is hard work on the dept., he did it years ago. Don't nickel and dime the Fire Dept., let's get them what they need.

Dan Ackley said he doesn't think we can get there to class 9, but he was the fire chief before and it does cost money to keep up with the expenses. Dave Timpe said yes, and they worked just fine (before). Dan Ackley said he doesn't know what passes for inspection now, this is less money and he'd like to see it pass.

Nathan Pike asked how many people are on the Fire Dept.? The answer was 5 people. Dave Timpe said that he doesn't think we are ever going to have 4 who can pass certification. Nathan said that he is interested in the fire dept. Daniel Ackley said he is too, but needs to get more settled first. Several people said for them to go first Tuesday of the month

Vote by raising hand: majority for and 1 against

The motion passed as written.

ART. 18. To see if the Town will raise and appropriate a sum of \$400 to insure all Cooper volunteer firefighters per year through April 2016, with any balance for new firefighters to be drawn from the General Fund.

Motion: to pass as written
Made by: Dan Ackley Seconded: Daniel Ackley
Discussion: none
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 19. To see if the Town will vote to raise and appropriate \$800 for the Town Recreation area, for maintenance and sanitary services for the Town Beach area.

Motion: to pass as written
Made by: Dan Ackley Seconded: Danny Sullivan
Discussion: What does it pay for? The Port-a-potty and repair to the road. Dan said, yes, and we put some money into the Chub Cove Road association. Who oversees the rules at the Town beach? asked Linda Howe. Linda would like to see it be non-smoking, since it is a public area. She takes her grandsons there. Linda said she wants a sign that says "No Smoking". She asked who oversees the actions at the Town beach. The town constable oversees.

Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 20. To see what sum the Town will raise and appropriate for Town Welfare for the ensuing year. (Selectmen recommend \$50, plus emergency payment if necessary from the General Fund.)

Motion: to pass as written
Made by: Dan Ackley Seconded: Daniel Ackley
Discussion: none
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 21. To see if the Town will raise and appropriate \$296 to pay for continued membership in the Washington County Council of Governments.

Motion: to pass as written
Made by: Dan Ackley Seconded: Chris McCormick
Discussion: Danny Sullivan asked what does that do for us? Dan Ackley said that they helped us quite a bit when we did the comprehensive plan, and other things. He attends once in a while as a town representative.

Vote by raising hand: Majority for and 1 against
The motion passed as written.

ART. 22. To see if the Town will vote to increase the property tax levy limit established for Cooper by State law, due to extraordinary circumstances outside the control of the municipal legislative body; for example, reconstruction of Town roads washed out by flooding. (Vote by paper ballot)

Select Board Note: This article is recommended by MMA (Maine Municipal Association)

Motion: to pass as written
Made by: Dan Ackley Seconded: John Viselli
Discussion: Doug Miller asked why we would approve an increase. Sandy asked for permission to step down from Clerk for a moment, and she explained that the town may vote to spend more money than the state limit says that we can raise.

Brenda Gove said that this is for extraordinary expenses. We don't usually use this.

Vote by secret ballot: 12 in favor and 2 against
The motion passed as written

ART. 23. To see if the Town will raise and appropriate \$1,000 to pay for maintenance and plowing at the Town Office and Cathance Grange Hall/Cooper Community Center. Any remainder will go into the General fund.

Select Board Note: other costs for the Town office are paid for under Administrative and contingent expenses.

Motion: to pass as written

Made by: Dan Ackley Seconded: Danny Sullivan

Discussion: Doug Miller asked Why isn't it included in town road plowing contract? Dan Ackley replied that we need to keep the guy on the main roads.

Vote by raising hand: majority for and 1 against

The motion passed as written.

ART. 24. To see if the Town will raise and appropriate funds to pay the yearly installment on the low interest municipal loan for the Town Office.

(Select Board recommends \$18,414.96)

Select Board note: This article provides for the annual payment previously authorized at Town Meetings when we voted to construct the Town office, and enables us to meet our yearly mortgage payment.

Motion: to pass as written

Made by: Dan Ackley Seconded: Dave Timpe

Discussion: John said this is payment three of five. When it is paid off, it should help the town budget. Dave Timpe said he understand that we got a tree growth penalty. How much was it and where is it? It is in the general fund/saving account. The amount was \$87,000. Dave then asked how much to do we owe to pay off the building? Why not use that money? Dan Ackley replied that we can't afford to have the general fund go as low as it has this past year. Then the question was asked how much do we earn on it in interest? Amanda said she was not sure, but she can check. Dan said again that we need to keep a healthy balance, but it has been as low as \$10,000.

Stuart agreed that we need to keep a good amount in the general fund.

Vote by raising hand: majority for and 0 against

The motion passed as written.

Payment of Town Officers and Employees

ART. 25. To see what the Town will vote to pay the Selectmen for the ensuing year.

(Select Board recommends \$1,650 per Selectman)

Motion: to pass as written

Made by: Dan Ackley Seconded: Norm Howe

Discussion: Joanne - these people work so hard. Dan no we are satisfied.

Vote by raising hand: majority for and 0 against

The motion passed as written.

ART. 26. To see what sum the Town will vote to pay the Assessors for the ensuing year.

(Select Board recommends \$7,300 for Chair of Assessors and \$1,000 each 2nd and 3rd Assessor)

Motion: as written

Made by: Dan Ackley Seconded: Dave Timpe

Discussion: Danny Sullivan asked what does the 7,300 cover? Brenda Gove said it is for doing property changes, exchanges, transactions, and pays for the software.

Vote by raising hand: majority for and 0 against

The motion passed as written.

ART. 27. To see what sum the Town will vote to pay the Treasurer for the ensuing year.

(Select Board recommends \$5,000. This position will include acting as deputy to the Town Clerk.)

Motion: to pass as written

Made by: Dan Ackley Seconded: Dave Timpe

Discussion: None
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 28. To see what sum the Town will vote to pay the Town Clerk for the ensuing year.
(Select Board recommends \$4,000. This position will include acting as deputy to the
Tax Collector and the Treasurer.)

Motion: to pass as written
Made by: Dan Ackley Seconded: John Viselli
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 29. To see what sum the Town will pay for the Collection of Taxes for the ensuing year.
(Select Board recommends \$7,000. This position will include acting as deputy to the
Town Clerk.)

Motion: to pass as written
Made by: Dan Ackley Seconded: Chris McCormick
Discussion: none
Vote by raising hand: Majority for and 0 against
The motion passed as written.

ART. 30. To see if the Town will raise and appropriate a sum of \$1,000 to pay the stipend for the
Emergency Management Director and the Municipal Fire Chief for the ensuing year.

Motion: to pass as written
Made by: Dan Ackley Seconded: Daniel Ackley
Discussion: Dave Timpe said he is doing a good job and is a good man.
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 31. To see what the Town will vote to pay the Planning Board for the ensuing year.
(Select Board recommends \$50 per member)

Motion: to pass as written
Made by: Dan Ackley Seconded: Daniel Ackley
Discussion: The planning board has never been paid, but we need to by law. They have 5
members but they are looking for 2 new members. Alice asked where do the numbers
come from? By state law they need to be insured and paid. Alice asked again how do
we pick the numbers for what they get paid. John said Sandy puts in a lot more time
than he does, than most of them do. Alice asked if it is the person holding the job who
decides the amount that they want? Laurie said when she was elected last year, she
bought the trio program and it cost \$2,000. Now she pays for the upkeep. Stuart said
it is largely traditional, sometimes contested, sometimes not. Sandy spoke about the
number of hours that some officers do work. Dan spoke about the time some people
put in. Karen Holmes said she thinks that the Town clerk should be \$5,000. Select
Board said they can consider that at the next town meeting.

Vote by raising hand: majority for and 1 against
The motion passed as written.

ART. 32. To see what sum the Town will raise and appropriate for the mowing of cemeteries
for the ensuing year.
(Select board recommends \$3,000.)

Motion: to pass as written
Made by: Dan Ackley Seconded: Karen Holmes
Discussion: Doug Miller asked why can't we give \$1,000 and let wild flowers grows? He said
that he means no disrespect. Dave Timpe said it seems like a lot of money. Bill
Kridder said that his son and him have has been doing the mowing for 15 years. We
have 5 cemeteries that we mow for 7 times a year. Dan Ackley said it probably has a
lot to do with what the families of the people buried their expected. Joanne little
cemetery wildflowers grow there but when she goes back to see them, they are

Laurie Pike then gave the timeline if taxes go unpaid. The liens from last year will foreclose this August if not paid. Taxes for 2014 is part of the process for this August.

Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 38. To see if the Town will vote to authorize and direct the Tax Collector and Treasurer, pursuant to Title 36, Maine Revised Statutes Annotated, section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill; provided, however, that no such payment may be applied to any tax for which an abatement or appeal is pending unless approved in writing by the taxpayer. (Standard article)

Motion: to pass as written
Made by: Dan Ackley Seconded: Karen Holmes
Discussion: none
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 39. To see whether the Town will vote to pass the following resolution or to take any action with respect thereto: Resolved that the Town Treasurer, with the approval of the Selectmen or a majority thereof, is hereby authorized to borrow from time to time in anticipation of taxes for the taxable year commencing April 1, 2015, a total sum not to exceed \$30,000.00 and for such purpose to issue and sell the Promissory Note or Notes of the Town, Note or Notes to be in such form to bear interest at such Note, and to be payable at such date, within the taxable year in which they are issued as the Selectmen or a majority thereof may approve and be paid out of money raised by taxation during the year, the money from the notes to be used for the purposes for which the Town may legally incur debt. (Standard article)

Motion: to pass as written
Made by: Chris McCormick Seconded: Dan Ackley
Discussion: Danny Sullivan remarked - you read that fast.
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 40. To see if the Town will vote to authorize the Selectmen to spend an amount not to exceed 1/12th of the budgeted amount in each budget category of the Town of Cooper during the period from March 1, 2016, to the Cooper Annual Town Meeting. (Standard article)

Motion: to pass as written
Made by: Dan Ackley Seconded: Laurie Pike
Discussion: none
Vote by raising hand: majority for and 0 against
The motion passed as written.

ART. 41. To see if the Town will vote to accept the categories of funds listed below as provided by the Maine State Legislature. (Standard article. Amounts shown are estimates only.)

Education Subsidies	\$6856
Municipal Revenue Sharing.....	\$5,630
Local Road Assistance	\$9,012
Snowmobile Registration Fund	\$66
Gasoline Tax Refund	\$648
Tree Growth Reimbursement	\$9,968
Veterans Reimbursement	\$335
Property Tax Relief.....	\$313
Homestead Reimbursement.....	\$4,186
General Assistance Reimbursement	(50 percent of Town cost)

equipment. All it takes is an "executive decision" from the Selectboard and you are done. With no advance warning this did happen to me in 2007. In the Fall of last year discussion concerning the fact that Chris McCormick did not want to plow his road any longer and that the Selectboard felt they should find a contractor to plow his road. When I heard that the Selectboard was privately soliciting bids and having discussions with other contractors in the area about plowing I became concerned about my status. In late September of 2014 I was informed that the Selectboard was ready to discuss a contract and I was requested to attend a board meeting. The contract showed that instead of a lump sum for the plowing of Cooper, which is how all previous contracts have been written, the Selectboard made an "executive decision" and carved out the town plowing as one clause in the contract and what they termed the "additional roads contract" as a separate clause in the contract in the amount of \$6,400. I discussed with the board that this was a change to previous contracts and that plowing of these "additional roads" was not in the best interest of the town nor feasible. I informed them that it could be near impossible to plow these roads. As it was becoming late in the season and I felt I had no option, if I wanted to maintain the contract, I very reluctantly agreed to attempt this. The very first attempt I made to plow the Vining Road, with my 10-wheeler, left me on the back side of a hill that I could not get back up over. One failed attempt showed me it could not be done without risking the upkeep of the main roads during storms. The only way it could be achieved was to wait until long after a storm was over and use a pickup with chains. As the McCormick's were not able or willing to wait they plowed it themselves. The Selectboard sent me a certified letter on March 26, 2015 indicating that they did not "feel" I had fulfilled my contract and that they "feel" they are within their rights to withhold money from my last contract payment. Previous to the receipt of this letter I had not been advised by the Selectboard of any issues. If there was a performance issue why was it not addressed prior to the now in an attempt to find resolution? In fact, I had a Selectboard member come to my home once during the winter and tell me not to worry about the plowing of some roads, as he was willing to help out, as he understood what a hard winter we have had. I believe it is time for the voters of Cooper to have the knowledge and understand the process and the cost associated with maintaining roads that have never been officially opened by the voters of Cooper but "opened" by an "executive decision" of the Selectboard.

Brief explanation of how our Town Government is run. Maine towns have (by the Maine Legislature) what is known as "Home Rule". This gives the town the freedom to govern many of our own affairs without interference or policing by the State. Under "Home Rule" a town can enact a Charter which gives specific bylaws on how and by whom town matters will be administered, but this is not required. Cooper town government is made up of elected administrators (Selectboard, Assessors, Planning Board, School Board, etc.). These boards answer to the legislative body (citizen voters). The freedom of applying "Home Rule" does have to be framed within the Statutes of Maine Law. Since there are no specific State agencies to police town activities it is left to the voters of a town to use the Maine Court System if they feel action taken by the elected administration has been outside the Maine State Statutes. All town citizens have this option. Since Cooper has no Charter to guide the administrative branch it leaves elected officials the temptation to enact "executive decisions" which are not always in the best interest of the town. Without letting the voters decide at the town meeting what to enact they open themselves and the town up to civil and criminal action in the state court system.

Concerning Article 13 - The town reports for 1999 & 2000 showed under "General Highways" a payment of \$1,000 to Chris McCormick. From 2001 through 2006, still under General Highways, the amount showed \$1,300 for Chris McCormick and Robert Smith received \$500. In the 2006 town report, Article 48, stated "To see if the Town will vote to elect a committee to study options for substantially reducing winter maintenance costs under the supervision of the road commissioner, (submitted by Chris McCormick and 10 other Cooper residents)". As well, Article 50 stated "To see if the Town will vote to discontinue winter road maintenance on Route 191. (submitted by Chris McCormick and 10 other Cooper residents). (Selectmen recommend against as a matter of public

safety and as MMA advised this is likely illegal as Route 191 is a state aid collector road)". Selectmen sponsored Article 51, which stated "To see if the Town will vote to discontinue winter road maintenance on the Vining Road, the Crowe Road, Breakneck Mountain Road, Grove Pond Road, and the unpaved portion of the East Ridge Road and the Dodge Road. (Selectmen estimate this would save \$8,500/year)". In 2007 the payments to Chris McCormick and Robert Smith are listed under winter maintenance as "plowing". In 2008 taxes and worker's compensation were taken out of Chris McCormick and Robert Smith. They were paid \$1,200.55 and \$461.75, respectfully. This made both of them Town employees, eligible for unemployment compensation and workers compensation at the expense of the Town of Cooper. In 2010 Ronald Flood began plowing the the Lower East Ridge Road. From 2010 through present Chris McCormick has received \$1,500 a year for plowing his road.

During the 15 years the Selectboard has made "executive decisions" have paid these subsidies instead of putting this issue in an article to be voted on by the voters (legislative body) at a town meeting. All other side roads that Cooper provides whiter maintenance to were voted on and accepted by the voters at the town meeting.

The Vining Road and the Lower East Ridge Road have never been plowed, at town expense, prior to Chris McCormick and Robert Smith moving onto them. They both "chose" to move onto these roads fully aware that winter maintenance was not provided by tin Town of Cooper. Both of these roads are impossible to plow using a Class 8 plow truck. This winter the only roads I could not plow were these two roads and the "private" driveway at the end of the Green Hill Road. These roads were never plowed and therefore were not inhabited during the winter months as they have always been impossible to plow.

In Article 13 under winter maintenance we are asked to appropriate \$6,400 for "plowing additional road contract costs". I recommend the voters of the Town of Cooper reject Article 13 and reintroduce it without the \$6,400 for "additional road contracts" Having people plow roads as "town employees" is a liability the Town of Cooper should not take on. If the voters refuse to appropriate the money this practice of subsidy ends.

Concerning Article 43 - Maine Statute 23 MRSA 2953 indicates the legal process for a town to "close a road to winter maintenance". There are no laws on the process to "open" a previously (in this case never) plowed road. Of all the various towns that I have spoken to regarding this subject it has never been done. No town wants the extra expense and added liability of opening a new road. State statutes do contain a process and a way to start a Road Association for such roads. Maintenance is equally divided among road abutters and residents of the Road Association.

This statute does not give the Selectboard the power to open new roads. I highly recommend that the voter's of the Town of Cooper reject Article 43 and suggest that the land owners on Vining Road and Lower East Ridge Road to look into developing a Road Association.

As Article 43 is currently written even if the voters, at a later date, began the process to close a road the Selectboard could overrule this which is not the intent of the law. But since the legislative body of the town has never voted to open these roads to winter maintenance there is no need to go through the closure process as the voters should refuse to appropriate money to subsidize these pavments - Selectboards can make promises but the voters do not have to pay for them.