

SELECTMEN'S MEETING MINUTES

MAY 7, 1996

Regular meeting of the Waterboro Board of Selectmen.

Present: Chm. John Monteith, Robert Fay and Dennis Abbott. Also present: Dianne Holden, Dale Witman, Frank Allen, Robert Gobeil and Frederick Fay.

REPORT OF STANDING COMMITTEES:

DIANNE HOLDEN: Dianne discussed the following with the Board:

1. Water level at Ossipee Lake is now at 6'4" and the summer level is to be 6'6", so requested Fred Fay to close gates at this time.
2. Discussed illegal dumping with Board. Reports should be forwarded to CEO office. Found sheetrock dumped on north end of West Shore Road. Board asked Dianne to discuss with Jim Carll owner of the property. The Board asked Fred Fay, Road Commissioner if he had cleaned up the reported trash by the Water District's pump station. He said that it appeared to be bags of leaves. The Board directed him to dump the leaves there and take care of the bags.
3. Discussed having the parking lot lined. Bob Gobeil to get cost estimate to Dianne.
4. Discussed curtains in the Town Hall, to be done now or after proposal on renovations?
5. Estimate curtains and rods to be approximately \$50.00 per window. Will also do something across the balcony. Board approved to do at present time.
6. Received right of way maps from the State DOT on Route 5. Land adjacent to Route 5 opposite Blackburn's Campground where nine docks were located last summer. The information will be forwarded to the Little Ossipee Lake Association with the Selectmen's concern on if the docks are cited for non-compliance and moorings are then used, there are no regulations on moorings. The maps were given to the CEO to be kept on file in that office.
7. Reported that Wilkes Harper from DEP called and will be sending the Board a letter requesting access to the property where the lagoons are located off Bennett Hill Road. They have been working on a plan this winter to put ground water wells in to see if anything has leached from the lagoons to the ground water.
8. Review of dump sign proposal approved at last weeks Selectmen's meeting. Chm. Monteith, Dianne and Bob Gobeil looked over the dump site and all the information to be placed on a sign and feel that two 4X8 signs are needed. Board agreed.
9. Special Town Meeting Warrant discussed. Articles to be presented:
 1. \$6,000.00 for a Comprehensive Fire Dept. Study.
 2. \$5,000.00 for the Fire Dept.'s Equipment & Replacement Account.
 3. \$5,000.00 to be transferred from the Town Planner's salary account to the CEO account.
 4. \$1,500.00 from unappropriated surplus for the Elections Account.
 5. \$25,000.00 from unappropriated surplus for Road Storm Damage.

The Board will have to stop by the office to sign the warrant for the May 20th. meeting as the deadline for posting is May 13. Also copies of the warrant will be sent to the

Finance Committee members, however, Finance Committee Chairman, Dale Witman, stated that he would not call a meeting of the Committee prior to the Special Town Meeting.

NEW BUSINESS:

1. Meeting with Parks & Rec Commission. Members present: Andrea Lefebve, Moe Auger, and Chm. Bob Gobeil. Discussed contract with Melville Knight III to do the mowing and maintenance. Chm. Gobeil stated that it was the same specs that has been used since 1990. Selectmen Fay felt that mowing the cemeteries weekly was ridiculous. Selectmen Abbott said that a provision should be in the contract that a mutual agreement for other negotiations could be accepted, in writing, due to weather conditions, etc. Chm. Gobeil stated that most of the mowing stops after the first of August. He further reported that the inmate program through the York County Sheriff's Dept. had been reinstated and he had them working a couple of days this week and will get them again at the end of the month. Andrea Lefebve asked if Mike Vogel had returned the baseball uniforms that Selectmen Abbott had called him about as yet. Sel. Abbott will call him again. Selectmen Fay asked Moe Auger to look at the Town's old salt shed located on Old Alfred Road for possible renovating into a kids rec building. Also included Fred Fay on the conversion in regards to selective cutting tress on Town Property and having milled for the project. Moe Auger presented the applications received by the Committee for the part-time Recreation Director's job and the Summer Rec Program's Director job. He had numbered them in order by preference. The Selectmen will look them over and he will pick them up tomorrow. He also left copies of the Summer Rec Director's Duties and a copy of Hollis's policy for the year-round Director's job. He also informed the Board that they will be advertising for the Summer Rec Counselors jobs. The Board approved the application form that he presented for their review. Chm. Gobeil was requested to take a look at the dock at Ossipee Pines for possible repairs. (Note: Before the end of the Selectmen's meeting, they gave the Directors job applications to Chm. Gobeil to return to Mr. Auger. The Board agreed to let the Committee conduct the interviews.)
2. Richmond Stevens was present for his 'Annual Conference' with the Board in regards to his contract with the Town for the Transfer Station. He presented the Board with several reports for the past several years. The first year of the contract was 1992, the second year, 1993, there was not as much tonnage as '92. 1994 and 1995 the tonnage went over the agreed amount, therefore, he is requesting \$6,206.39 per month retroactive to January 1, 1996. (The original payment amount of \$5,220.96 per month had not been changed since 1992) The Board agreed to the new figure. RWS Rep. Frank Allen stated that currently the Town is running 3% higher at RWS compared to last year. Sel. Abbott told Mr. Stevens that he would have to provide the Board with a new proposal by November 30, 1996 at the latest, and preferably as soon as possible as his current contract runs out in December '96. He asked for two proposals (1) service as provided today and (2) just to haul waste to RWS with the Town taking over the operating of the Transfer Station. Mr. Stevens agreed to this.

3. Meeting with the Conservation Commission. Present: Chm. Steve Everett, David Anderson and Jim Cooper. Also present was David Woodbury. Chm. Everett presented a copy of the suggested easement given to John Brock several months ago. He has recontacted Mr. Brock who wants to go over it with his lawyer. The funds are ready to go, but the Commission won't do the work until the easement is settled. The Board agreed to send the easement to the Town's Attorney for his input. Easement for a 700' improved road to the top of the crest and widening down to the base. The access would be limited to Town or authorized Town vehicles. A provision has been made for a gate. The Commission meets on the first Wednesday of each month. The Board asked for a list of active members and Chm. Everett stated that only the three present are. Selectmen asked Dianne to contact Charles & Diana Audette and Barbara Krew to see if they would submit their resignation if they are no longer interested in being on the Commission. The Board informed the Commission of David Woodbury's ideas in regards to roadside clean up and asked the Commission to set up a program. Mr. Woodbury said he would be interested in helping the Commission with road side clean up only, doesn't have time for other interests of the Commission. The Board asked the Commission to look into obtaining ownership of the Fire Town atop Ossipee Mountain. The Commission has no objection to the Board pursuing a selective cutting program on Town lots. Sel. Abbott stated that an inventory of the lots should be taken and a forest management program is needed. Chm. Everett asked the Board if they would have opposition if a company came along with a proposal to lease property from the Town on Ossipee Hill for a tower? The Board said they would not.
4. Greg Melhorn, Parks and Rec member discussed the concerns that Little League Umpire Gene Harvey had voiced at the Town Office in regards to the Friendship Park field being dangerous and not up to regulations. Steps have been taken to rectify the situation. A new home plate and pitcher's plate was purchased today and ballfield mix has been ordered. The Board told Mr. Melhorn that next year the fields should be looked over prior to the opening of the season.
5. CEO, Tim Nelson reported on the fire over the weekend at the Welch property on Middle Road. Dave Wyman was burning and the fire got away and burnt the mobilehome on the property. The Forest Ranger requested that Tim be called to site due to the possibility of hazardous waste materials (batteries, motors, magnesium etc). Mr. Nelson called the DEP and was told that the fire would have consumed any materials. Steel remaining at the site can be taken to Saco Steel. Mr. Welch, owner of the property will be so notified. A burning permit had been issued for brush, etc. therefore, the Ranger sited Wyman for burning beyond the scope of his permit. Wymans said that the Town had condemned the mobilehome-not so per Mr. Nelson. Also no permit was obtained for demolishing the mobilehome. Discussion held on ZBA hearing in regards to Mr. Nelson's letter to the ZBA that Fred Owen, ZBA member, should not act on Mr. Jones variance request due to bias. ZBA Chm. Dale Witman defended the Board's house ruling used to allow Mr. Owen to sit. Sel. Abbott told Mr. Witman that house rules are not legal and should not have been used; that Mr. Witman had asked Atty. Vaniotis at a prior meeting about bias and the answer was clear on who can sit on a Board and who can't. Planning Board and Zoning Board of Appeals members act as judges and cannot give an opinion,

especially publicly, on a matter that might come before the board they sit on. If the case does, and the member has given an opinion, he/she should remove himself as a participating board member for that case. He further stated that the more information that can be given to both boards is good. Need to have more meetings with the attorney to educate them. Sel. Fay felt that Mr. Nelson had used the Town Attorney against a Town Committee Member and was bothered by it. Mr. Nelson also reported that Ray Marcotte had recently built a home in Lake Arrowhead and did not have a Class D (Bank Mtg) survey done at the foundation stage as suggested by the CEO office and has found that the setback on the building is off by one foot. The lot had gone before the Planning Board; it was a large lot and had no setback problem. A letter has been sent to either move the structure or go to the ZBA. Mr. Marcotte has submitted paperwork for the ZBA. Mr. Nelson further reported that there has been twelve new building permits taken out, scattered throughout the town. The Planning Board is working on three new site plans, there are five active subdivisions and one new subdivision being acted on. He also told the Board that he doesn't have the time to represent the Town on the Southern Maine Regional Planning Commission. Mr. Nelson reported that the Ricker's have submitted an application to the Planning Board to use the former Brunetti Restaurant property as a store, take out and restaurant for 20 seats, using paper. Due to the septic flow design only being 548 gals, the property cannot be used as a restaurant in the past. The Planning Board is booked solid through June 27th. Mr. LeBelle, Business Manager of SAD 57 has contacted Mr. Nelson in regards to permits for field lights that will be seventy feet high. Zoning only allows thirty-five feet, so they will need to go to the ZBA. They also need permits to place portable classrooms on the property. The Board agreed to waive all fees for the school projects. Camp Laughing Loon needs permits to remove several of their outbuildings. The Board agreed to waive all fees.

6. Mrs. Cochrane on Evergreen Drive has requested that slow down or the like be painted on the road. Rd. Comm. Fay said he has signs and the Board directed him to put them up.
7. Discussion on painting the lines in the Town Hall parking lot. Bob Gobeil to give price for doing them.
8. Doug Foglio, Sr. presented the Board with the Road Review Committee's storm damage report. The total was \$24,985.00. A copy of the report will go to EMA Director Pam L'Heureux for submission to FEMA for financial help. Mr. Foglio also reported that he had talked to a Tel. Co. employee in regards to McLucas Road and was told that Bob Souza would be the contact person at the Tel. Co. The Board agreed to send a letter to the Tel. Co. and to the State Police informing them that the Town is getting ready to do work on the McLucas Road and would they be willing to contribute to the roadwork to be performed. Mr. Foglio also added that perhaps it should also include that the Town has no special interest other than to keep access to the top of the mountain. Mr. Foglio also discussed a need to come up with a defined right of way in front of the Welch property on Middle Road. When the road was rebuilt, the stone wall was removed, which might have been used as a property line in regards to setback requirements, therefore he would like to have documented where the stonewall set for possible setback problems in the future.

9. The Board agreed to set aside one hour at next weeks meeting to screen the eighteen applications submitted for the Selectmen Secretary's job.
10. Parks & Rec Chm. Bob Gobeil asked the Board about the use of the upstairs meeting room on May 28th. for summer rec sign-ups. Dianne told the Board that she felt the building should be reserved on Tuesday evenings for Municipal functions. That on the 28th. the CEO office and Clerk/Collector's offices are open, the Board of Selectmen meet and a Public Hearing is scheduled for the Hall. Parks and Rec passed out Little League uniforms to the kids on the last Saturday of April from the Hall, while also the Girl Scouts were having a bottle drive in the parking lot and the Clerk/Collector's office was open which created a chaotic mess. The Board told Mr. Gobeil to set it up for another time.

SIGNED:

The Board signed the warrant for payment of bills and payroll. They also signed:

1. Chm. Monteith signed the contract between Parks & Rec and Melville Knight III for grounds maintenance.
2. Chm. Monteith signed the leasing proposal for KeyCorp in regards to the photocopier being purchased.
3. The Board approved the minutes of April 23 and April 30.

Approved: _____

