

SELECTMEN'S MEETING MINUTES
NOVEMBER 5, 1996

Regular meeting of the Waterboro Board of Selectmen.

Present: Bob Fay, Dale Witman, Pat Sicard, Patti Berry, Brenda Charland.

The first order of business is the signing of paperwork. The Board agrees that they will sign the letter to Dwayne Woodsome informing him that at this time, the Town is not interested in his offer of the sale of his land across from the dump.

Bob moves to have a turnaround for snowplowing on Middle Road, instead of plowing all the way through, because the road is not maintained all the way through. Dale seconds after some discussion of the mileage of the road and the cost involved, and whether or not the road should be plowed for Fire or Ambulance Service. They can get in from either end, just as they have in the past.

Pat is going with Doug next week to see exactly where the Town plows, possibly in other towns and do some research on the mileage involved.

Pat Sicard Reports that the electronic banking with the local bank is something we can't do right now. That bank is not set up for this. We will still have Leon Bean in from Key Bank to explain how they do our banking for us.

APPOINTMENTS

7:05 Public Hearing for Victualer's License for P J'S Pizza 'N' More was held and granted and signed.

7:20 Mr. And Mrs. Murphy enter the meeting upon their request regarding a consent order on their property they bought in 1986 that has setback violations. Because they were not responsible for the violations the consent order was granted and signed.

7:30 Dennis Pratt enters the meeting at the Board's request to go over the plans from Alpha One on the proposed renovations of the Town Hall. Bob has a concern that if we take up space in the Town Hall for offices we would not have room for big crowds like we have here tonight for voting. Dennis Pratt suggests putting an addition on the outside. Pat Sicard asks if there is any way to rehab the recreation office, for public access, putting heat in it, and making it handicap accessible. Brenda Charland asks why we can't have a second floor in the Town Hall. We would have to put an elevator in if we add a floor to the building. Brenda then asks if we can't eliminate the stage area. The original plan was

to have the stage area for an employee break room. It isn't available for a meeting room now, because it isn't handicap accessible. Many ideas were discussed.

Pat thinks that this building is part of the character of the Town, which she would like to see kept the way it is as much as possible. Pat asks Dennis Pratt to make up a plan incorporating the changes we discussed. Taking out the stage and making that into the Rec. office. Our main objective for these plans was to make the building handicap accessible, the added renovations are not mandatory, although we do need a new floor in the Hall.

Putting an elevator in was also discussed, which would cost \$75,000.00 (ballpark figure.) Brenda asks what is happening with the Fire Dept. survey. She wonders if the Town shouldn't wait for the report before considering spending a lot of money on renovations. Pat tells Brenda that the survey should be done within a month.

Dennis Pratt wrapped this discussion up by saying The Town's first concern should be solving the immediate problems of making this building handicap accessible. That should be focused on first. The Next phase will be to compare the cost of fixing this building to the cost of a new building. The Board will get Dennis Abbott's input before making any decisions.

He will put the costs together to solve our immediate needs, which are; bringing the ramps on the building up to code, and an office for the Rec. director.

8:15 Joe Simenok enters meeting at his request. He has a complaint about his neighbors house. He says the code enforcement office should act on this complaint. It has been going on for 7 years. Joe says the neighbor fertilizes his lawn and the spring run off carries the seed and fertilizer into the lake. The code enforcement officers inaction gives Mr. Simenok the right to go to the Zoning Board of Appeals and he has been informed as such. Bob suggests to Mr. Simenok that he, as a citizen of the lake, get together with the Ossipee Lake Association. They are in the process of doing a survey of the lake and with his background in engineering he could be of help to them. Bob also informs Mr. Simenok that the Town is not going to get involved in that kind of litigation, to spend that kind of money unless we are forced to. Nor is the Town going to enforce the tearing down of the building. Mr. Simenok is requesting that the Town should make his neighbor tear everything down that is in violation of codes. We will request from our attorney a written opinion and share that with Mr. Simenok. We should have that opinion from the attorney within a week.

9:00 Brenda Charland enters the meeting at this time upon her request. She wants to go to the Planning Board workshop, because she feels there are inconsistencies in the zoning ordinance that concern her. One thing that concerns her is the application for variance or administrative appeal; It is misleading. In the zoning book it makes it very clear what should be done, but the average citizen doesn't have a zoning book, they just go by the instructions on the application and they are misleading, in that it doesn't give enough information. Another concern she has is that, in her opinion, it appears to be a conflict of interest for Sharon to set up a meeting for Zoning Board of Appeals. She is setting up a

meeting for someone who has a violation that is enforced by her office. In her opinion, she has seen an inconsistency in the interpretation of the codes over the years. "It should not be a philosophical thing." At the Zoning Board of Appeals meeting last week, Brenda was embarrassed at the way the applicant was treated. She blames it ultimately on the Selectmen's Office. Bob suggests to her that she attend the workshop for the Planning Board. That the zoning was voted in by the citizens of this town and the Code Enforcement Officer is hired to uphold the zoning going by the law. As citizens we all need to draw attention to areas that need updating and bring our ideas to the Planning Board, propose changes, have public hearings and bring changes to Town Vote. He agrees that some of our zoning does not make sense, but until the Town changes it, the Code Enforcement Officer must uphold the codes as they are, whether they make sense or not. That is his job.

Brenda says she realizes CEO must follow the law, but she would like to see Government be human, subjective, and passionate about the townspeople. She would like to see the CEO treat people with respect. Pat Sicard tells her again that the CEO is mandated by law to follow our zoning ordinance as it is. He cannot be subjective. Brenda says when the interpretation of the codes is so rigid, she blames the selectmen, not CEO.

Dale states that the Code Enforcement Office, the Zoning Board of Appeals and the Selectmen's Office are three different entities. As the former chair of that committee he allowed the informality of letting the applicants be heard. That meeting the other night should have only lasted 5 minutes. The motion that time had expired, and the complaint could not be heard should have been made before any discussion went on.

The Planning Board workshop should be helpful, to define the roles of the Planning Board and the rules they should follow in meetings. Something positive that did come out of the ZBA meeting last week was the idea that there should be a liaison between Code enforcement office and the Zoning Board of Appeals, to help direct and inform people after being turned down by CEO.

Brenda says that this should be an ongoing process, with the planning board, updating the codes.

DISCUSSION

Pat Sicard reports on the computer technology in the office. We need to update our system and there are people who need computers. Dave D. and Ralph S. don't have computers and need one. Pat got two quotes. One from Gateway and one from Dell. Discussion on leasing verses buying and the outcome of that is that with leasing we do not end up owning a computer system that in 3 years might be outdated, we would be able to upgrade at any time. Bob votes yes to go with Dell. Dale seconds.

Pat reports that the Town will be on the Internet within a week, with our town emblem contained.

The sand bid that we received was opened. We need to check to see if the price they quoted was for washed sand. Will take this up next week.

Sharon steps into the meeting at this time, with an update of the Brewer's in South Waterboro. They would like the town to test their water. The water table came up so quickly after the storm in October and with the oil spill right near there, they are worried about water contamination. Dale feels that we should get Irving Oil to pay for the water test. He has no problem with the Town doing it, but he feels the spill is not our fault and the Oil company should be liable for this.

As of last night Kevin Theriault was outvoted as Fire Chief and Elias Smith was voted in.

There were two requests to move polling opening times to 7 a.m. instead of 9 a.m. Bob moves to change the time to 7 for State and National elections. Dale seconds.

Bob moves to leave the Chadbourne Ridge intersection the way it is following the recommendations of the Road Review Committee and Public Hearing. Dale seconds. Motion passed.

Bob would like to have a hearing on the intersection of Chadbourne Ridge Road and New Dam Road, where the yield sign is. He would like the Road Review Committee to take a look at that. He has heard from the public that there is a concern on the safety of this intersection.

ADJOURNMENT

Motion for adjournment was made at 10:15.

SIGNED

The Board signed the Warrant for Bills and Payroll.

They also signed:

1. Victualer's license for PJ'S Pizza and More.
2. Minutes of October 29, 1996.
3. One day liquor license for Personal Touch Catering for 11/30.
4. Seven tax abatements.
5. Request for verification of employment.
6. Letter to Dwayne Woodsome.
7. Letter to Robert Hanson.
8. License to operate Bingo at Massabesic Lions Club.
9. License to operate Game of Chance at Massabesic Lions Club.

APPROVED



Phil Fay , Dale A. Walker