

## SELECTMEN'S MEETING MINUTES

Monday, April 7, 2003

**PRESENT:** Doug Foglio, Willis Lord, Eric Herrle, Nancy Brandt, Mike DeAngelis, Tim Neill, Deb Wentworth, Teresa Lowell, Beth Cyr, Robert Gobeil, Frank Allen, Dave Benton, Dave Woodsome, Diane Herrle, John and Donna Tondreau, Ann Worth, Ross Corner Fire Chief, Chauncey Gerry, Sue Ellen Chamberlain, Wendy Carter.

Doug opened the meeting at 7:05 pm. A discussion of the Warrant Articles, Ordinances and Referendum

Article **Bait and Animal Carcass Disposal Ordinance** – Pictures were presented to indicate the history of this problem. DEP became involved because carcasses were being deposited in wetland areas. Coyotes were a potential hazard to livestock. This ordinance limits the amount of bait that can be used. Disposal of farm and domestic animals is exempt from this ordinance. Comments were made regarding the spelling and punctuation of this copy and need to be corrected before final printing.

Referendum questions

#1 **Approval of the Charter.** 1/3 of the voters at the last gubernatorial election will be needed to cast votes at this year's election (627 voters). If there are fewer total voters at this election the charter cannot be adopted regardless of the results of this question.

#2 **Approval of a three year contract with the York County Sheriff's Department** to establish a second position of 40 hours. The explanation of expenses is based on a state formula. This second position may result in different shifts to allow the sheriffs to work overlapping 8 hour schedules. The estimated costs of each year would be:

Year 1 - \$50,538.00

Year 2 - \$36,472.00

Year 3 - \$54,391.00

#3 **Comprehensive Plan update approval.** David Woodsome addressed the panel. He indicated that insufficient information has been available to the public regarding this issue. Diane Herrle rebutted that view stating that there have been many open meetings and public hearings requesting input from the citizens of Waterboro. Willis said that portions of this plan can be readdressed at next year's Town Meeting. He also mentioned that it is necessary for a town to have a Comprehensive Plan on record.

#4 **Rescue/Pumper truck purchase** of \$38,900.00. It was indicated that the truck under consideration was a 79/94. This was explained that the truck was originally built in 1979 but reconditioned to meet the standards of service required in 1994 by the original manufacturing company. Teresa Lowell asked if it had been inspected and that was affirmed. It is currently owned by a Pennsylvania town. Frank has seen the vehicle and has indicated that it is in good condition and approved the purchase.

#5 Requests that voters consider borrowing \$63,666.67 for the partial **purchase of a fire truck to be shared with the towns of Alfred and Shapleigh and housed at the Ross Corner Fire Station** and available to serve these three towns. The other two towns have already approved the funding for their third of the purchase. It offers 1000 gallon tank capable of pumping 1250 gal/min. Ross Corner Fire Station has 18 members, some who are trained as EMT's but are not licensed. No ambulance is housed at this station. Perhaps medical response from this station may be available in the future, Tony indicated. Willis questioned the wisdom of purchasing a new truck for this station with the discussion of future purchases of expensive vehicles at the Ross Corner station. Tony underscored the need of a vehicle of this type this year. He also mentioned that a used truck brought up to the current standards would be nearly as costly.

**#6 Brake and Compression Brake Ordinance.** Eric explained this ordinance and indicated that this would pertain only in the Village, Village/Residential, and Residential areas. This certainly would not be in effect under emergency stopping situations. Signs would need to be in place as are in effect in other towns. Comments on increasing fines and the scope of areas to be included were expressed.

**#7 Solid Waste Hauler Licensing Ordinance.** Selectmen have the right to assess fees. Doug indicated that if this is enacted then the small haulers in Waterboro would need to get a license to haul product to the Regional Waste facility in Portland. As Waterboro is already a partial owner of RWS, this would result in a double tax on our trash haulers. Willis suggested that this ordinance be pulled from the warrant.

Ann Worth was allowed to introduce her request for a consent agreement. She indicated that the curve of the road on Mayfair is no longer where indicated on some maps due to the washouts that have occurred there over the years. She presented several documents from surveyors indicating the location of the foundation to the road. She stated that the house does meet the current setbacks from the existing road. The CEO signed off on the foundation at the time of installation therefore, she explained, it was approved. She stated that this has occurred on two other occasions in town and those parties were not required to move the house foundation. There are differences of 28-30 feet from the road as determined by the surveyors. The Selectmen will research this issue and make judgments at a later date.

### **Zoning Amendments:**

Tim Neill addressed this area and offered explanations of the articles. He explained the refinements to the present Zoning Ordinance. Most of them were changed to reflect bookkeeping and continuity when cross-referenced. Changes to the existing ordinance are underlined to emphasize the rewording suggested. Dave Woodsome questioned the necessity of a landowner to allow landlocked owners access to the main road. Eric mentioned that the town is not inherently responsible for structures built beyond access roads. There was a question centering on the necessity of access roads to meet the standards mentioned of 15" of gravel, culverts, ditches, etc., even if the owners don't want it. It appears that construction would be at the town's expense. It is too late to change the wording. Doug maintained that private roads should be maintained by people in a homeowners association. Doug declared the wording is ambiguous.

Article 3—Lots of negative input was expressed, primarily centering on the wording and meaning of **primary use**, which will in essence, seem to permit all.

Article to amend section 14. It would appear that 'substantial work' would equate to approval of completed foundation.

Relevant to amending Section III, Tim indicated that there is a time limit on filing an approved site plan. If it is not filed within 30 days, the approval is voided. An extension can be issued but must be requested in writing within the 30 day period. A Certificate of Occupancy and road standards should be required.

### **Improvement Guarantees**

Tim indicated that bonding is required of all developers.

Item 2: Form of Guarantee. Regarding the enforceability of the performance guarantees, none of the identified offices (Town Manager, Town Planner, Board of Selectmen or Town Attorney) have this as a specified responsibility in their job descriptions. Furthermore, it is not explained when the surety expires. Willis mentioned that the wording cannot be changed at this time but additions of responsibility can be added at this year's Town Meeting.

### **Minor Changes to approved plans**

A definition of 'minor changes' is not apparent. There was also the question of the use of the word 'plan'. Does this intend the site plan or the sub-division plan?

## Administration and enforcement

This portion of the document firms up the authority of the Code Enforcement Officer.

The Public Hearing closed at 9:34 pm.

## Old Business

1. Willis mentioned that the cost of recycling shingles and sheet rock has increased by \$1.00 (\$39.00 to \$40.00) a ton. Willis moved to approve the new charges as long as the Town of Waterboro receives the crushed hot top in return. Eric seconded this motion. Vote: 3-0-0.\
2. Hanover Insurance Company has terminated its bond with Adelpia. This will be signed following approval by the attorney. Vote 3-0-0.
3. The warrant for Bills and Payroll was signed.
4. Doug discussed the current condition of town finances. He indicated that the town is in satisfactory condition without needing to dip into designated funds. Departments have been asked to withhold from purchases until taxes have started to come in. The Selectmen and Nancy are pleased to have figures that are current and accurate.

## Hearing of Delegation

1. Diane Herrle spoke to the dog situation on the website. She indicated that people need to take greater responsibility for their pets and to keep them leashed when they are outside of the home. Eric said that the Dog Officer has reported a large number of dogs that are running loose in the Webber Road area. Willis said that substantial fines should be incurred to help curb this problem.
2. Sue Ellen Chamberlain, the town Treasurer, reported on the issue of certain mobile homes. These homes could be auctioned, or the owners could be taken to small claims court. A third way of dealing with the situation would be to write off the taxes up to 2001 if a quit-claim deed could be issued to the owner. Doing nothing is not an option in these cases. She suggested that someone should go to view the mobiles to see the condition. The park owner can require the town to pay back rent. There is no deed on a mobile home, just a bill of sale. There is no mortgage on these homes. A title should be on file in Augusta but not at a registry. If an auction takes place it can start at any price. Doug said that the disposal of a mobile home is expensive – about \$75-80.00/ton in addition to the cost of transporting the home to New Hampshire and the amount of lot rent due. The Selectmen expressed their thanks and appreciation to Sue Ellen.
3. David Benton requested that seasonal speed bumps be installed in limited areas. They could be installed in good weather and removed prior to winter when plowing would occur. He related a disturbing incident that happened recently. He suggested that this issue be turned over to the Road Review Committee for further investigation and cost information. Doug agreed.

The Selectmen will meet on Tuesday morning at 9:00 am for a workshop.

Re-evaluation was discussed. Doug said that a re-evaluation situation will benefit other departments in addition to leveling the values of property in town. Willis agreed that this issue should be placed on the warrant but said he will vote against it. Waterboro has not been re-evaluated since the 80's. This process may, however, affect the Homestead Act. Doug made a motion to place re-evaluation as an article on this year's warrant with a figure of \$75,000.00 to start. Eric seconded the motion. Vote 3-0-0. This issue must be voted on to be heard, said Nancy, because it is too late to place on the warrant.

Marc Meserve is looking for people to serve on an ad hoc committee to investigate the need for a Charter for the county of York.

Willis moved to accept the minutes of 3-31-03. Eric seconded. Vote: 3-0-0.  
The meeting adjourned at 10:30 pm.

**APPROVED:**

Date \_\_\_\_\_

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