

## **SELECTMEN MEETING MINUTES**

### **MAY 6, 1997**

Regular meeting of the Waterboro Board of Selectmen.

Present: Bob Fay, Dennis Abbott, Dale Witman, Brenda Charland, Pat Sicard, Millard Genthner, Frank Allen, Bob Gobeil, Dave Dittmer, Patti Berry.

Guests: Fred Fay, Greg Mehlhorn,

### **APPOINTMENTS**

7:00 Fred Fay enters at the selectmen's request. Fred discussed a drainage problem on Ossipee Hill Road. He wants to put an 8' 2" culvert in to get the water away from the road and stop the erosion. Fred asks if this office has heard anything from DOT regarding putting entrances on State aid roads; Fred thinks that DOT is requiring that galvanized culverts with aluminized coating have to be used instead of the tar coated culverts. Pat S. said she would find out.

The winter maintenance compact was discussed. Fred and Pat had met with Jim Barton from DOT and he was open to the proposal that was presented from the Town on the roads that would be turned back to the Town for winter maintenance.

Fred said that he put up some signs on Webber Road because of the ditching, it is dangerous.

Dennis Abbott reminded Fred that the selectmen made a cordial request to the road review committee for a plan on Ossipee Hill Road. Fred said he would get after them for a report. Dennis asked when does Fred plan on starting on that road. Fred said next week. Dennis said, not before the selectmen get a work plan.

Fred says he got a call from Dot Searles. She claims the road has been set over towards her property. Dennis asks when we've done anything to that road. Fred says we haven't. Fred says he will talk to her tomorrow, he will measure 33' from the center of the road.

Fred asks if the town is going to have Bob Gobeil do the crosswalks this year? The Board tells Bob G. to meet with the purchasing agent, she'll get a price, then the board will vote on it.

Bob Fay discusses insurance the letter regarding Old Home Days. He states there is no way that local vendors will be able to afford liability, it would wipe Old Home Days out of venders. Everyone agrees not to require the small, local vendors to provide liability. The Town is covered should anything happen. Pat S. adds that the town is responsible to make sure Old Home Days is set up safely. Bob F. states that our insurance company suggests they be covered, it isn't mandatory.

7:10 Dave Dittmer enters at his request to discuss the maintenance contract. Dave passed out the job description and the bids to be advertised. Dave says the summer rec. position, and the Route 5 picnic area attendants need to be advertised for now. The attendants at Route 5 take care of the rubbish. Bob F. asks, are we having the same attendants back this year. Dave says he has only heard from one of them, Ed Brann and he is interested in

coming back. Dennis suggests that Dave check with both of them before advertising, and see if they want to come back.

Bob F. suggests that the Town put up a sign to discourage 4 wheelers on the field at Friendship Park. Dennis says it's private property, we can put up a sign. Bob F. motions to put a No Motorcycles or ATV's. Everyone agrees. Bob F. asks if we make this an ordinance do we need a public hearing? Pat S. said she would find out.

Bob F. asks Dave why we need to mow the Taylor House field every week? Bob G. says that is the way they've always done it. Bob F. says why don't we just let the field grow and mow it a couple of times in the season. Dennis suggests that we put out some wildflower seeds and let the field grow. He also suggests to Dave that he check with the Taylor House Committee and the Garden Club and find out what they want. Dave will do that.

Pat S. asks who fixes the stones in the cemetery at the Town Hall, several of them are tipped. Bob G. says it has always been included in the maintenance contract. He says he can show the person who gets the contract how to set the stones.

Dave D. states there are two bids as the selectmen requested, that can be bid on together or separately. They will go in the Smart Shopper next week, and on cable.

7:15 Nancy Brandt enters at her request to discuss the Town record books, that are kept in the vault down cellar. They are getting molded and we will lose them if we don't do something. Nancy passed out a letter she received regarding the condition of the record books, from Brown's River. We have \$2,500 appropriated this year and \$2,500 for next year. That will do 10 books, there are 75 books down there. Bob Fay asks if Brown's River is the only company that restores books or are there others and is their price compatible. Dennis says we ought to do what we have the money for now, and get George to change the shelving. Pat S. will check with George where he would get the shelving. Nancy asks if we have a special town meeting she would like to request more money to restore the books. Bob F. asks if there is any Historical Society that would keep the books for us. Pat S. said she has checked into this, and there are none in this area. Dennis says there is an archival storage in Connecticut and they could have information we requested from the books within a couple of days. Nancy says these books are microfilmed. Pat Sicard says we should invest in a new de-humidifier. Dennis says that if we do there should be someone to check it every month. Pat S. says it is on George's checklist.

Nancy reported that two of the electric heaters in the hall are stuck on. The thermostat is off. Dennis tells Pat to call the electrician tomorrow.

Nancy asks if the rumor she heard about the selectmen covering the overdraft accounts under article 4 and not have a special town meeting. Bob Fay says they have not voted on that yet.

8:00 Millard Genthner requested to see the board regarding the burning of stumps at the dump. He says they have to be burned. He has lost 90% of his pit. It was never finished and the lab test was not done for the first burn. Pat S. reported that she contacted Doug Foglio Jr. today and he guaranteed that he would take care of it himself.

Bob Fay asked Millard what his feelings were on changing the dump ordinance. Millard wants to keep it the way it is. Being that the dump sticker must be on the vehicle or a laminated sticker be available in the vehicle upon request or the person does not dump. It costs \$10 for a laminated sticker. Dennis agrees that the ordinance should stay as is.

## DISCUSSION

1. Sharon Abbott explains the reason for the consent agreement that is presented to the board. The house was built 13' too close to the side property line. Roberge construction built it in 1987. Banks have started doing mortgage surveys since then. They did apply and were granted a variance setback and met that. Bob moves to sign the consent agreement. Dale seconds. Dennis votes yes. It is signed.
2. Bob F. asks Sharon about the complaint from Francis Swett. Sharon states that she researched the tax bills back to 1972, there have always been two bills sent out, and two bills paid each year. It can be changed to put the two parcels on one bill, but that won't be effective until October. Bob F. thinks it is arrogant of the Town to bill her when we are using the road. The Town should either lease it from her or have her turn it over to us. We should enter into some kind of negotiation on that road. If someone is ever in an accident she would be liable. Dennis asks who has paid the bills all these years. Sharon doesn't know, but they've been paid. Bob F. asks is she being charged for the road too? Sharon doesn't know. Pat S. asks, is there anyone who could negotiate for her. Bob asks can she lease the road to us? Pat says she will get more information.
3. Sharon informs the board that the woman with the boulders in the subdivision off Townhouse Road was asked by DOT to move them back to 33" from the center line of the pavement, if someone hits them she is liable.
4. Greg Mehlhorn enters at this time. He understood the selectmen would be discussing the maintenance contract. His only concern is that the person the board selects actually does the work. Bob F. says the board will take responsibility for what happened last year. This contract will be administered by the director, or Pat Sicard, or the board of selectmen; not the Parks and Rec. Committee. Dale W. asks if the committee had any input in drawing up the bid? Greg says he hasn't seen what is going out to be advertised but the committee did have some input.
5. Dennis Abbott moves that the board sell John Maguire the lot that he requested in writing to buy. Lot A50 which abuts his property. He submitted a minimum bid of \$2,500 plus closing costs. Everyone agrees. Motion passes.
6. The board discusses the request for information regarding the purchase of lot 1752 in Lake Arrowhead. If the person is not an abutter, he can not bid on it. It is not an auction lot.
7. Toilet bids are discussed. The board would like to sit down with Nathan Gay, if his references check out. We will set up a meeting with him next Tuesday. In the meantime we will find out, if he has handicap accessible toilets, and if he has the quantity we need (which we need to find out from Dave D.) Dale says we might want to add a failure to perform clause with a penalty, into the contract.

8. Bob F. reports on the Fire Department meeting and vote, after speaking with Fire Chief, Elias Smith. There were 24 members present, 23 voted to come under the town's umbrella. The 24<sup>th</sup> person didn't vote. Elias is confident that the other 20 people in the department are in agreement. Bob tells Pat S. to move forward on this.
9. Bob Fay moves that Article 4 carries us into next year as intended, all pluses and minuses as was voted in at Town Meeting. Dennis seconds. Dale states that his first preference in dealing with these accounts is the same as his proposal presented at a previous meeting, in March, which was taken directly from the minutes of Town Meeting. Upon noticing the size of the overdraft, the board should have acted immediately. It is difficult to project the money's coming in through fees. The fact that we ended up with an overdraft is typical. The exorbitant building activity didn't materialize as projected. We became aware of this overdraft directly after town meeting and we should have acted on it then. Bob Fay states that yes Dale presented a proposal on April 17<sup>th</sup> and retracted it. Dale disagrees; and stated that his proposal requested an official vote which was not conducted, and that he in fact has never withdrawn his proposal. Dale asks Sharon what activity is going on in that office. Sharon says building is up, that office generated \$1000.00 in fees last month. She also states that the big hit on that department is her hours of assessing. If that office were credited for those hours, CEO office isn't doing that bad. Dale said he was surprised that we lost funding for assessing at town meeting. Dennis states that if you take 10 hours a week for 44 weeks the CEO office has spent \$28,499 this year so far as compared to \$31,000 total for last year. Bob Fay asks if there is any extra money in the secretary's or the assistant's account? Pat S. states that when Dianne was doing both Treasurer and assistant her pay was taken out of assistant's account only. Dennis states that is the way it was supposed to be, that there shouldn't be any moneys taken out of the Treasurer's account from July 96 until the time Dianne stopped doing the assistant job. He says the question is what do we do this year, as of July 1. Dale says it was mandated at town meeting to have a part time code enforcement office with no benefits and the same funding. A formal vote is called for at this time on Article 4. Bob votes yes, Dennis votes yes, Dale agrees "with the greatest amount of reluctance that it wasn't taken care of in a timely manner." Motion passes. Bob Fay states that whenever this is decided doesn't make a difference, he thinks Dale is playing politics.
10. Discussion of what to do after July 1 with those positions. Dale says the minutes say part time with no benefits, with \$10,000 in which we can hire a CEO and fees generated are for the deputy. Dennis says we have \$10,000 plus fees for that office. The same funding we've always had. Bob states part time could mean anything under 40 but there are no benefits. Dennis says we end up with same revenue fee structure. Dale says the subdivision fees in Section 12.01 clearly give us that authority. Bob F. says that the zoning ordinance cannot be changed from the floor of town meeting. Dennis says historically we have had a CEO, a deputy and a secretary. If we keep a deputy/secretary/planning board secretary position it could still be a 40 hours a week. How much would that leave for CEO? Part time would be 15-20 hours a week for inspections etc. and if building goes up then funding will increase. Bob Fay states that as a selectman he respects town meeting vote as illegal as it was, but it doesn't mean

that every town meeting will be dominated as this one was. Dennis asks what do we do with that office? Have an assistant CEO/planning board secretary; man it for x amount of hours and hire a part time Code enforcement officer? Bob Fay states that if the other selectmen believes as he does, there ought to be some availability in that office, if the town can afford full time treasurer, clerk and motor vehicle agent. Should cut back the hours to 15 then let the townspeople demand full time. Dale asks Sharon if she is fully licensed. Sharon says no, not in plumbing; that is a whole separate thing. Dale asked what Sharon's opinion is. Sharon states that she has given her opinion before and was not being listened to. She states that she works as many hours as that office is open and she is busy. When the CEO is out, no one is put off because she as the deputy can help them. If she were the secretary only, they would need the CEO. If there is just a secretary position, the town needs a full time CEO and a part time secretary. Ralph does a lot of his own clerical work which has freed her up to do other things. Dennis states that CEO/plumbing inspector should be one in the same person. Sharon agrees it doesn't make sense to have two people. Dennis states that through secretary/deputy CEO we could maintain a reasonable office environment. He states that we have to make a decision. Sharon states that the "word" on the street is that the CEO is done as of June 1. She also suggests that the CEO total hours are workable upon call meaning certain times of the year you need full time; You really need full time all year. She suggests giving the individual some kind of benefit and cut Secretary back. Not too many people will come into a job with no benefits. Bob Fay said the intent of town meeting was to have an uncertified local person. Dennis suggested to have a deputy CEO with limited authority to give assistance to the public and have inspections done by the CEO. It will accomplish nothing if we have inspections available 40 hours a week. Bob Fay says we should limit the availability of inspections. Dennis says we still have to have someone here. \$5000.00 was appropriated to the planning board for a consultant, but that individual will be hired by the board of selectmen. Bob Fay says make it as part time as they ask for; do that for a month or two and public opinion will change. Pat S. says it will be difficult to get someone with credentials with what we have to offer. Bob Fay says we can get an uncertified local person. Dennis says we are working with \$30-32,000.00 for funding to play with. Frank Allen asks why do we have a building inspector anyway? Dennis says to enforce our zoning ordinance of this town. The state says have certified CEO or someone able to get certified within 1 year. Sharon says between the time Tim left and Ralph came on, our town's attorney Chris Vaniotis, made comment to her to be very cautious because not being certified makes us very liable. Pat S. adds that someone is suing the town now, because a code wasn't enforced. Dennis says there are cases against the town that have won that shouldn't have. Sharon suggests if they do vote on anything tonight to make it the first order of business tomorrow to let Ralph know. Sometimes the first they hear of decisions is when the minutes go around. Pat S. says that if there is closure on anything people are notified. Dennis says there is no reason why this can't be discussed. Bob calls for a vote on a letter to Ralph. Dale says as of July 1 it is part time with no benefits and we need to ask Ralph if he is interested. Bob Fay says that Ralph has already told them that he will be gone after July 1. Dale says yes he did say that and Dale had requested

that in writing. Bob says Ralph said we'd get it in writing when he knew. Pat S. says Ralph can't make a decision until they make an offer. Dennis recommends that Pat address this issue with Ralph, explaining that it may very well be 20 hours without benefits, but that it is not finalized yet. Make it very clear that we have not officially come to closure yet. Dale says to inform him we are going forward with what was said at town meeting. Dennis says we have to maintain some level of service. Pat S. says that two people have been affected. Dennis says he will not vote on the specifics because of conflict, however he doesn't see why this department shouldn't be funded similarly as other positions in this town. Bob says in the interest of people, keep a secretary and assistant CEO and keep the CEO part time. Dennis says we should establish that the only time the deputy can perform inspections is when the CEO is not keeping regular hours. Bob says we can make appointments for inspections.

### **EXECUTIVE SESSION**

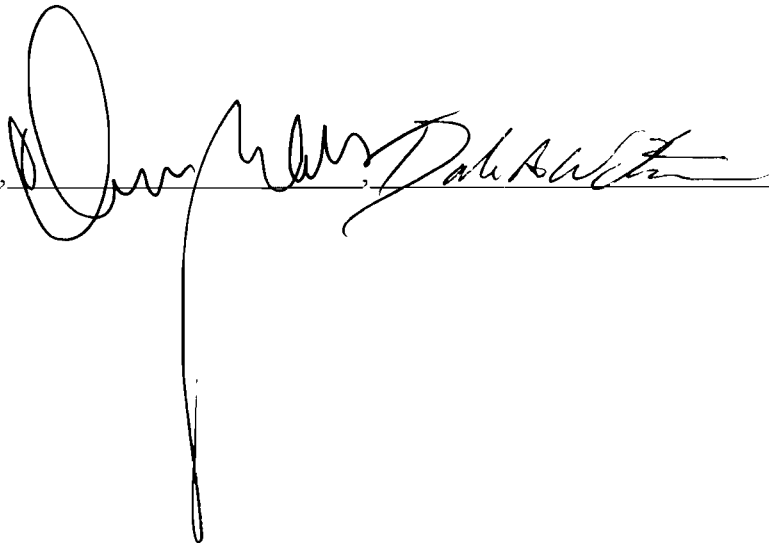
Motion to go into executive session was made at 9:30. To discuss employee evaluation.  
Voted/Passed.

### **SIGNED**

The Board signed the Warrant for Bills and Payroll. They also signed:

1. Selectmen's minutes of 4/29/97.
2. Work project form from Road Commissioner.
3. Consent Agreement for Douglas & Ann Palmeter.
4. Lien release deeds for  
Christopher & Karen Ross.  
Robert Ramsell  
Charles Snyder, Bonnie Timmons, Joanne Seltzer, Stephanie Snyder.
5. Tax abatement form to tax collector.

**APPROVED** Date:



A handwritten signature, likely "Dale A. Burt", is written over a horizontal line. A long, thin vertical line extends downwards from the signature.