

SELECTMEN'S MEETING MINUTES

March 28, 2000

PRESENT: Brenda Charland, Millard Genthner, Willis Lord, Pam Witman, Fred Fay, Bob Gobeil, Diane Winne, Jason L'Heureux, Tim Neill, Paul Kussman, Denise & Dean Waterhouse, Wendy Carter, Dwayne Woodsome, Mark & Beth Cyr, Diane & Eric Herrle and Zoe Anderson.

Brenda opened meeting at 7:00 p.m.

APPOINTMENTS

7:00 - Appointment with Frank Birkemose, Fire Chief to discuss the request for payment of ½ cost of paramedic class postponed until next week.

7:15 - Adam Sevigney requested permission to build a pavilion over a picnic table at Friendship Park as his final step towards Eagle Scout. Placement of the pavilion will be worked out with the Parks & Rec. Director. He will solicit contributions for the project or hold fund raisers. Motion by Millard to approve the project as presented. Seconded by Willis. Vote 3-0. Fred Fay offered to provide the poles for him and will cut to the required lengths. Will also get the holes dug for him.

7:30 - Request for an Executive Session to discuss the Transfer Station postponed until next week to allow for consultation with the attorney.

NEW BUSINESS

1. Discussed Southern Maine Finishing. Brenda reported that they currently owe \$30,000 in back taxes. The DEP has given the property a clean bill of health. The attorney handling this suggests waiving foreclosure one more year to allow time to explore the towns options. The DEP currently has approximately \$400,000 in liens against this property but would forgive if taken by the town.
2. Motion by Millard to authorize the Town Treasurer to waive the foreclosures of two certain tax lien mortgages on real estate for taxes assessed against Southern Maine Realty Corp., to the Town recorded October 9, 1998 in the York County Registry of Deeds in Book 9076 Page 258 (Map 5, Lot 19) and Book 9076 Page 259 (Map 8, Lot 1). Seconded by Willis. Vote 3-0. Brenda reported that Greg Cunningham of Bernstein, Shur, Nelson & Sawyer has been working on this for some time. Questioned if the Board desired changing to the current law firm of Jensen, Baird, Gardner & Henry. Motion by Willis and seconded by Millard to remain with Greg Cunningham as he has been working on this. Vote 3-0.
3. Discussed meeting with the Planning Board on the issue of the Transfer Station permits. Discussed the Jeff MacDonald gravel pit. Will need to be proven active by the Planning Board.
4. Discussed the letter from the attorney regarding the appeal. Motion by Millard to reaffirm their decision to move forward with the appeal. Seconded by Willis. Paul Kussman asked the board formally to reconsider their decision on the appeal. Stated that they don't want to keep this going and don't want to put gravel pit owners out of business. They only want an opportunity to be heard and their opinions considered. Stated that they have already won three times in their opinion, once with the Zoning Board of Appeals, once with Judge Brennan and once by the vote on March 11th. Suggested letting the gravel pit owners fight this and not use taxpayers money for this fight. Suggested that this can be solved right here in town. Diane Herrle requested that each Selectman state how they are going to vote and why. Theresa Lowell questioned how the citizens will benefit from this appeal, how much has been spent on legal fees and where the money is coming from. Questioned if the new ordinance is on hold during the appeals process. Brenda explained that the appeal is not about gravel pits, it is about the definition of Conditional Use and Permitted Use. This has nothing to do with the new ordinance, and the ordinance is in effect and being enforced. Eric Herrle stated that the legal bills are around \$17,000 stating with the Zoning Board of Appeals hearing. Brenda stated that this is not a defense of the gravel pit it is a defense of zoning definitions. Dusty Lowell questioned where

money was coming from for this appeal and if the citizens had an opportunity to vote on this. Brenda stated that some comes from taxation and some from fees generated by the Planning Board which amounted by \$10,000 to \$12,000 this year. Also explained that the towns people vote each year at town meeting on how much is appropriated for legal fees. Vote on motion 3-0.

5. Motion by Willis and seconded by Millard to accept the Assessors revised April schedule. Vote 3-0.
6. Motion by Willis and seconded by Millard to refer the mooring ordinance to the Planning Board. Vote 3-0.
7. Discussed the current wharf ordinance. Motion by Willis and seconded by Millard to refer the wharf ordinance to the Planning Board for review. Vote 3-0.

OTHER

Motion by Millard and seconded by Willis to accept the minutes of 3/21 as written. Vote 3-0.

Diane Winne reported that no one has applied from the community at large for the Multi-Purpose Field Committee. Steve Harlow who is a member of the Parks & Recreation Committee has volunteered and with the Boards approval she will accept his offer. Board agreed that this would be fine.

Brenda requested that a letter be sent to Tony Vigue to thank him for all his patience and help during the past few months as we began taping the meetings and using new equipment. He has been most helpful and on several occasions come to town to teach those using the equipment on the best manner in which to do so.

Motion by Millard to set June 24th as Special Town Meeting with the polls being open 10 a.m. to 6 p.m. Seconded by Willis. Vote 3-0.

Reported that the papers for the Charter Commission will be available on Friday March 31.

Motion by Millard to set Candidates Night as Thursday May 11th at 7:00 p.m. Seconded by Willis. Vote 3-0.

Brenda reported that the Board of Selectmen will be meeting on Monday and Thursday afternoons 3-5 p.m. to perform some of the duties the Assistant usually handles. There will be no motions and no votes during these workshops.

Millard requested that they discuss the use of the ambulance for things other than emergency calls. Brenda suggested that this be brought up with the Public Safety Committee when they meet with them on April 10th.

Millard reported that starting May 1st, Waste Management will be charging the Town \$25.00 per container rent for two containers and \$200.00 per pull. Custom Transfer will charge \$160 per pull and no rental if they receive the funds generated from the metal and \$180.00 per pull if the Town takes the funds generated from the metal. Also reported that Tom Kane of Commercial Paving requests to be called directly instead of Troiano as the Town currently has approximately 16 tons of material stockpiled at this point.

Discussed stenciling Waterboro on the new containers.

Discussed snowplow contracts. Will get together with Pam L'Heureux regarding road name changes. Discussed the request to plow the sidewalk on West Road. Brenda felt it should be a separate contract.

SIGNED

The Board of Selectmen signed the Warrant for bills and payroll as well as:

1. Minutes of 3/14, 3/16 & 3/21.
2. Quitclaim Deeds
3. Lien Release
4. Contract with Sebago Tech.
5. Dixie Office Products Contract
6. Firearms Permit Application
7. Abatement

ADJOURNMENT

Motion by Millard to adjourn at 8:25 p.m. Seconded by Willis. Vote 3-0.

APPROVED

Date: _____

Millard L'Heureux