

## **SELECTMEN'S MEETING MINUTES**

**July 5, 2000**

**PRESENT:** Willis Lord, Millard Genthner, Brenda Charland, Pam Witman, Wendy Carter, Eric and Laurie Petersen, Paul Kussman, Chris Yohman, Teresa Lowell, Dean Look, Denise Waterhouse, Dave Monroe, Carol Look, Mike McAlevey, Rusty Lowell, John Kustron, Paul L'Heureux, Bob Gobeil, Diane Winne, Tim Neill, Diane Herrle, Fred Fay, Eric Herrle, Doug Foglio, Sr., Pam L'Heureux and Jason L'Heureux.

Willis open the Public Hearing on the Eagles Liquor License Renewal at 7:00 p.m.

### **APPOINTMENTS**

7:00 p.m. - Public Hearing for the Eagles Club liquor license renewal. Held discussion regarding the renewal. Millard stated that he had checked with the State Police last year and they were given a clean bill of health. Both the Sheriff's Dept. and the State Police can not find anything on this organization. Willis stated that the officers can not have a criminal record and after the recent raid they may have. Understands also that there will no longer be a strict three drink limit. It was explained that according to the training the bartenders have taken at the state level it is three drinks for mixed drinks but beer can be four or five. Brenda questioned the consequences to the bartender and the club if found to have served those who are impaired. It was explained that there is a fine for both the bartender personally and the bar manager. The Liquor Commission does spot checks usually a couple of times a month and the fines range from \$150 to \$600. Also explained that people who arrive at the club after 8:30 or 9:00 p.m. are not served as it is assumed they have already been somewhere else. Brenda questioned if there is normally an officer or a trustee present and was assured that normally there is. Eric Petersen stated that the illegal gaming machines seized recently should certainly make a difference and hoped that the board will vote against licensure. Stated that there is a question regarding the drink limit. Carol Look presented a petition. Stated that the petition requests that the Selectmen vote against reissuance of the license. Paul Kussman listed statistics regarding drunken driving. Stated that just based on the confusion presented this evening they should vote against renewal. Stated that he is not against social clubs and not against drinking but is against irresponsibility. Willis listed the only reasons for denial and the board could not deny for any of those reasons. Felt perhaps they should recommend a temporary license until the other issue is resolved. Paul L'Heureux reported that Biddeford was raided over a year ago and still has not gone to court, they were fined and it will never go to court. Stated that the board can recommend at any time that the license be pulled. Carol Look questioned why the Board did not recommend that the license be pulled when the accident occurred involving the Petersen's daughter. Discussed conflict of interest and Mike requested that Brenda not vote. Felt that Brenda has a vested interest in this club because of her membership. Questioned why the President of the club could not answer questions asked of him and Brenda stated that the question asked could not be answered because they were about who is being charged after the raid and at this point no one is being charged. Willis read the state law on conflict of interest and determined that this is not a conflict per state law. Discussed how members are suspended, for what reasons and how many have been. Willis read a statement from Rev. George Dearborn that they are against renewal. Willis stated that the board does not issue the license they only make a recommendation to the state liquor commission. Paul Kussman questioned if the club would invest in a breath analyzer after hearing how the public feels. Eric Petersen asked if even one incident occurs after hearing how the public feels would the board make the commitment that they would recommend at that time that the license be revoked. Willis stated that if it were proven that the individual got all their drinks in the Eagles he would. Doug Foglio stated that he thought you were innocent until proven guilty in this country and there are no abutters here

speaking against. Has strong reservations about the motives of the group who are speaking against.  
Hearing closed at 8:10 p.m.

Willis opened the regular Selectmen's Meeting at 8:10 p.m.

Motion by Millard to recommend renewal of the license with the stipulation that a three drink limit be enforced. Brenda requested that the president make that commitment and that they adhere to it. Brenda questioned if this should be tabled until they have an opportunity to deliberate. Was not certain they can make that recommendation and questioned how it would be enforced. Motion by Millard to recommend renewal of license for the Eagle Club. Seconded by Brenda with the addition of the petition to be sent along. Vote 3-0. Millard added to the recommendation they commit to a three drink limit.

7:15 p.m. - Discussed the gaming application. Paul stated that they renew every month but the board only votes once a year. Their current license doesn't expire until August. Motion by Millard to postpone pending outcome of the investigation following the raid. Motion fails due to lack of second. Motion by Brenda to renew the gaming license 7/1/00 to 6/30/01 to cover the pull tab games only. Seconded by Willis. Vote 2-1 with Millard opposed.

7:30 p.m. - John Kustron, Massabesic Lions Club presented an update on the construction of the additional parking at the Lions Field. Also presented a request to pay Glenn Bean for trucking all the material to the site from the town pit. Stated that the previous work that was done the town delivered the material but this time did not. Currently he has brought in 16 loads and has another approximate 16 loads to haul. Doug Foglio stated that Mr. Bean did donate his time but is also selling the topsoil which he removed from town property. Brenda stated that this is only a 50' x 80' area with trees which Mr. Bean did haul away. She was not sure how much value there is. Carol Look stated that all this should have been determined prior to construction. Diane Winne stated that she only found out about this project about three weeks ago. Felt that if it is costing Mr. Bean he should be reimbursed, but if he is making a profit should not. Brenda stated that if the town had delivered the material they would have paid for hauling and should also reimburse Mr. Bean. Agreed that the money could come from the balance in the Parks & Rec. budget from fiscal year 99/00. Mr. Kustron to contact Mr. Bean and have him submit a bill for his time. Mr. Kustron also reported that they have a circus coming 8/7/00.

## **NEW BUSINESS**

1. Motion by Brenda that Charles Niles be appointed to the Municipal Complex Committee. Seconded by Millard. Vote 3-0.

Motion Brenda to appoint John Hewes to the Municipal Complex Committee. Second Millard. Vote 3-0.

Motion Brenda to appoint John Monteith to Municipal Complex Committee. Second Millard. Vote 3-0.

Motion Brenda to appoint Angela Ames to Old Home Days Committee. Second Millard. Vote 3-0.

Motion Brenda to appoint Paul L'Heureux to Old Home Days Committee. Second Millard. Vote 3-0.

Motion Brenda to appoint Pam L'Heureux to Library Board. Second Millard. Vote 3-0.

## **OLD BUSINESS**

1. Read the proposed agenda policy. Motion Brenda and seconded by Millard to accept the new agenda policy. Vote 3-0.
2. Discussed the Old Buxton Rd. Willis reported that nothing has come back from the Fire Dept. or the

Road Review Committee and he will research further. Mrs. Yohman requested to contact MMA herself regarding discontinued and abandoned roads. Feels this is a safety issue. Brenda suggested that the Road Commissioner, Road Review Committee and Fire Chief should visit the site and come back with a recommendation. Would then take their recommendation to a Town Meeting.

3. Discussed Mrs. Seehagens request regarding a fundraiser in South Waterboro. The State Police have requested a letter from the board and she will write the letter.

#### **OTHER**

Discussed the additional dates on the Charter Commission. Brenda stated that it should all be finalized in the next couple of weeks.

Discussed updating the WEB site and Brenda stated that she is still in the process of learning.

Brenda stated that she has a letter of response to the Herrles' regarding their request and that it will go in the mail in the morning.

Motion by Millard to accept the minutes of 6/27 as written and seconded by Willis. Vote 2-0-1. Brenda was absent from that meeting and therefore abstained.

Discussed committee applications and the need to get more volunteers.

Motion by Millard to set the Selectmen's Secretary's wages at \$10.50 per hour and to be reviewed in three months. Seconded by Brenda. Vote 2-1 with Willis opposed.

#### **ADJOURNMENT**

Motion by Brenda to adjourn at 9:50 p.m. Seconded by Millard. Vote 3-0.

#### **SIGNED:**

1. Minutes of 6/27
2. Appointment papers

#### **APPROVED**

Date: \_\_\_\_\_

Willis A. Lord  
Millard Bent  
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