

## SELECTMEN'S MEETING MINUTES

September 7, 2004

**ATTENDING:** Douglas Foglio, Sr., Robert Fay, Patti Berry, Don Boilard, Fred Bechard, Willis Lord, Brigit McCallum

**APPOINTMENTS:** Selectman Foglio declared the Selectmen's meeting open at 7:05. p.m. 7:00—Diane Herrle was unable to keep the appointment and requested that it be rescheduled for next week.

The appointment scheduled for 7:15 was not present so the report from the Town Administrator was presented by Patti, Acting Administrator.

### **ADMINISTRATOR'S REPORT:**

Report Attached.

Christopher Diaz, appointment scheduled for 7:15, presented his proposal of building a scoreboard and announcement booth at Friendship Park, his Eagle Scout project. The Selectmen were pleased to support his project and suggested that he contact Mike DeAngelis, the Parks and Rec director. Christopher will return to the Selectmen with a detailed plan of his proposal.

### **NEW BUSINESS:**

1. Selectman Fay moved to place his name for appointment to the Taylor House Committee. Doug seconded. Vote 2-0-0.

Many committees still have vacancies.

2. Selectman Foglio read the referendum questions and proposed a Public Hearing on this issue for September 21st at 7:00 p.m. Question #1 (Article 3) Should there be a five member Board of Selectmen? Question #2 Regarding a Charter Amendment--Shall newly elected Selectmen be sworn to duty at the first meeting of the Selectmen following the election? Question #3 Regarding a Charter Amendment—pertaining to the term of office of the Board of Selectmen, the Road Commissioner, and the SAD #57 Board of Directors—should their three year term begin at the first regular meeting of the Board of Selectmen following the Town Meeting or when their successor is elected, whichever should occur first. Selectman Foglio moved to approve the wording of the questions as written. Fay seconded the motion . Vote 2-0-0.

3. September 14<sup>th</sup> at 5:00 p.m. was selected for a workshop to review the audit bids.

4. Selectman Foglio presented more information regarding the Palesky initiative which will be voted upon statewide this November. He indicated that many of the Town's debts will not be allowed as they do not fall under "Exemptions" under the current wording of this bill. It does seem entirely possible that some properties could be seized by creditors. Municipal and private properties are at some risk. Selectman Foglio suggested that some of the town properties, such as the Taylor House, Town owned properties on Lake Ossipee and the Ossipee Mountain is placed in a land trust. He indicated that the Charter allows the Selectmen to have greater authority and can therefore establish a trust for these properties. He suggested that it be administered by the Chairman of the Conservation Committee, Planning Board, Fire Chief and the Board of Selectmen and perhaps add others to this oversight committee. This way, creditors would not be able to seize these properties. Selectman Fay agreed with this suggestion. He further suggested that the Taylor House be leased to the Historical Society for a period of 99 years. Mr. Fay indicated that it is currently not known what will constitute an exemption to the Palesky Bill. The State legislature must establish specifics

### **OLD BUSINESS:**

1. Townhouse Road. Mr. Foglio indicated that the work of shouldering and marking the bicycle lane has not been completed. A recent incident prompted a letter to be sent from the Selectmen to the Department of Transportation indicating that this dangerous situation has not been resolved.
2. Post Office. Selectman Foglio read a letter regarding the proposed location of the Post Office on Mast Camp Road. It detailed that this location was not identified in the original proposals, it is less than a mile away from an existing Post Office and that a central location is desired. The Selectmen cannot support this project. Selectman Fay moved that this letter should be signed and sent. Doug seconded the motion . Vote 2-0-0.
3. Mr. Fay made a motion that a letter is sent to Mr. Gobeil at MDOT regarding the situation on Townhouse Road (previously noted in these minutes). Seconded by Selectman Foglio. Vote 2-0-0.
4. Mr. Foglio announced that the Town of Waterboro will be hosting a program presented by MMA in the Annex on Wednesday, September 8<sup>th</sup> at 6:30 p.m. This program will allow the residents of York County to participate in a question / answer situation concerning the Palesky Bill.

**HEARING OF DELEGATION:**

Brigit McCallum addressed the Selectmen regarding the issue of unsolicited phone books and the impact on the Transfer Station. This results in additional costs to the town. The Selectmen agreed that this issue is not one that they can legislate.

**OTHER:**

1. Selectman Foglio discussed the delay in the road work on West Road. He stated that the town owns the land onto which the road will be moved (straightened) and that the State owns the land on which the West Road is presently located. Deeds from the state and the town will be written indicating that the state will deed their current ownership to the town and that the town will do likewise to the state. Once these formalities are complete the work will continue to straighten out the severe turn on West Road at the Ross Corner intersection.
2. Minutes were accepted and signed for August 17<sup>th</sup> and 24<sup>th</sup>.
3. Selectman Fay read the reminders. Selectman Foglio called the executive session for hardship abatement MRSA title 1, SS405 6 (1).

**ADJOURNMENT:** Motion by Selectman Foglio to end the Executive session and adjourn the Selectmen's meeting at 8:30 p.m.. Seconded by Fay. Vote 2-0-0.

**SIGNED:**

1. Minutes of August 17<sup>th</sup> and August 24<sup>th</sup>.
2. Appointment papers
3. Quitclaims Deeds.

**APPROVED:**

Date \_\_\_\_\_

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## TOWN ADMINISTRATOR' S REPORT

9/7/04

Item #1:

Doors: If pictures are not here, then they will be coming soon.

Item #2:

Patterson & Assoc. has started reconciling the town books.

Item #3:

Audit proposal were due August 30<sup>th</sup> and there were two proposals submitted.

Item #4:

Received the workers comp. Experience rating which has an effective date of 1/1/05. The mod rate is .83 so the town has earned a credit on the base premium. Since 1997 this is the lowest mod rate the town has received. Has been as high as 1.98 in 1999.

Item #5:

Hiring Panel has met and has started the process of interviewing for Dep. Town Clerk. Panel will be conducting interviews on Monday, Sept. 13<sup>th</sup>.

Item #6:

Capital plans. There has been a meeting scheduled for Sept. 29<sup>th</sup> for dept. heads and the Finance Committee to review the forms that will be used to submit the plans.

Item #7:

The Finance Comm. has asked if the same form that will be used for submitting capital plans can also be used for budget requests. Form will be used for budgets with a few changes made to it.

Item #8:

Still waiting for the fault door, should be about two weeks out. Will be installed on a Sat. when the offices are closed.

Item #9:

Selectmen will be attending the meeting being sponsored by Maine Municipal Assoc. on Wed. Sept. 8<sup>th</sup>. This meeting will be televised live.

Item #10:

Candidates night will need to be set up sometime in October. Selectmen will need to decide what night of the week will be the best.

Item #11:

D.O.T. was able to provide the documentation that the Selectmen requested so the Board has signed the donation form and the project will continue.

Item #12:

The Board has prepared a letter to be sent to D.O.T. concerning the Town House Road in regards to the project not being completed. The shouldering has not been done nor the bicycle lane painted.

Item #13:

Received the information from SMRP on the adoption of the York County Hazard Mitigation Plan. This plan ensures that York County and its 29 municipalities are in compliance with the federal

disaster mitigation act of 2000. A public hearing will need to be held prior to the adoption by the Selectmen.

Included are the following correspondence for the Selectmen's review and for further agenda items.  
Copy of the brief filed on the Leighton vs Town of Waterboro legal issue.  
Hazard Mitigation Plan.