

SELECTMEN'S MEETING  
April 28, 2009

PRESENT: TammyJo Girard, Dennis Abbott, Cindy Moore, Jon Gale, David Lowe, Chief Matt Bors, Kathy Hewitt, Bob Gobeil, Paul Tebbetts, Fred Fay, Paul & Carol Carey, Dep. Sanborn, and Duane Fay

Opened meeting at 6:00 p.m. by Selectman Abbott with Pledge of Allegiance.

**APPOINTMENTS**

Kathy Hewitt addressed the board requesting that the town accept Sandcrossing Road as a town road. Stated that it was declared abandoned in 1950 but would like to see it as a thruway now. Stated it is very hard to get the road cared for. Selectman Abbott stated that it has been discontinued for many years and since she made the same request in 2002 the process has not changed. The road has to be brought up to town standards and the residents on the road can raise the money to do so. Kathy stated that none of the other residents want it to be a town road except for her. Selectman Abbott stated that the only other option is to come to a town meeting and convince the townspeople that the money should be appropriated and accept the road. Said that typically would talk with all the residents on the road for their support. Asked that she write a formal letter asking that the town improve and accept the road but before we move anywhere with it will need to know the cost. Selectman Gale stated that from his perspective he would want to hear from all residents on why this should happen. Fred noted that there is a limit to what can be done and Kathy noted that they would need to build a bridge. Selectman Moore stated that with the current budget she can't see how it could be done. Selectman Abbott stated that the town has no plans to improve that road and that she should work with the neighbors. Selectman Gale stated that the board must work with the majority and can't spend taxpayers dollars on something the majority doesn't want.

Dep. Sanborn began by listing police officers killed nationwide since April 1<sup>st</sup>. Reported that there is a sex offender working town. Reported that there was a brutal assault that occurred in the trailer park on April 4<sup>th</sup> on a disabled veteran. Listed some strange things seen around town recently. Explained the posters around town regarding locking things up. Reported that he caught a juvenile for dumping on Bennett Hill Road. Stated that the Sheriff's Office will be lending the Road Review Committee the speed trailer for a couple of weeks. Recognized Dave Lowe for modifying the Contract Deputy web page. Reported that there were 63 reportable incidents in town since April 1<sup>st</sup> and Hollis, Dayton, Arundel and Lyman combined had 71 which shows the activity in town. Waterboro is roughly 1/2 of the entire zone. Reported on the following incidents: 3 – sexual assaults, 1 – aggravated assault, 1 – simple assault, 4 – burglaries, 4 – motor vehicle thefts, 7 – other thefts, 1 – swindling, 6 – destruction of property/vandalism, several drug related calls, 2 – disorderly conduct, 1 – OUI, 1 – liquor violation and 18 – other offenses.

**HEARING OF DELEGATION**

Paul Tebbetts stated that four (4) years ago they started work on West Shore Road with private funds. Did everything the town and DEP wanted. Made it a 50 foot right of way and brought to town specs. Planted over 50 trees, moved 6 septic systems away from the lake and there is no more runoff into the lake. Now that the 50 foot right of way is in deeds they have to meet setbacks that don't allow for building a house or a garage. Stated that they are not asking for it to be a town road, they just don't want to be victimized because of the 50 foot R.O.W. which they were told to do by the town. Stated that people have been trying to get permits for a garage and a home and are denied. If they had known they would have only built the road 30 feet wide. Felt that if the town wants them to change to 30 feet

then the town should pay to change the deeds and then the property owners can do what they want with their property. Selectman Abbott stated that this board doesn't have the authority to waive all the zoning ordinances and felt these are separate issues. Stated that the town has certain requirements for a town road and they did that. The second issue is that there are now landowners that now have issues with doing what they want. The town has road specs & zoning ordinances. It sounds as though they are in conflict and those have to be addressed on a case by case basis. Hoped that they start with the Code Office.

### **SELECTMEN'S REPORTS**

1. Selectman Girard reported on the first meeting of the Economic Development Committee. Reported that they elected a chair and secretary and met at Raven Hill Orchard. Will be meeting the 2<sup>nd</sup> and 4<sup>th</sup> Thursday of each month 4:30 – 6:00 at Town Hall.

### **COMMITTEE REPORTS**

1. Selectman Abbott reported that they went over the Solid Waste Ordinance at the Transfer Station Committee meeting on Monday and are making progress.

### **NEW BUSINESS**

1. Motion by Selectman Girard and seconded by Selectman Gale to appoint Don Holden, Dam Controller; Jim Carll, Cemetery Committee; Pam L'Heureux, EMA Director and Willis Lord, EcoMaine Director. Vote 4-0-0.
2. Motion by Selectman Gale and seconded by Selectman Moore to sign the liquor license renewal for 199 Sokokis. Vote 4-0-0.
3. Discussed a workshop on how to handle the payment arrangements. Selectman Gale felt they should discuss payback period. Motion by Selectman Girard and seconded by Selectman Gale to accept the arrangements for Map 16 Lot 7-0A1 and Map 055 Lot 14. Vote 4-0-0. Will table the other request for more information. Vote 4-0-0.
4. Discussed the legislation proposed to prohibit any municipality from restricting sex offender residency. There are 10 municipalities with such an ordinance and Representative Wagner represents two of them. Selectman Gale expressed concern with restricting someone who is on the registry to minor reasons. Selectman Abbott suggested that perhaps it's the definition of a sex offender at the state level that needs to be changed. All agreed that if they are to send a letter to the state it should say that we stand behind our ordinance but they should look at how they classify a sex offender. Motion by Selectman Gale and seconded by Selectman Girard to have Nancy write the letter and bring back next week stated that we support Rep. Wagner's letter and stand behind our ordinance but suggest they review how they classify the offenders. Vote 4-0-0.
5. Discussed the budget that they will present to the Finance Committee. Selectman Gale stated that he would like the public hearing at least a week before voting to put it on the warrant. Selectman Abbott stated that total revenues are at \$3,465,650. This consists of \$1,411,287 from Taxation; \$336,345 from Dept. Revenue; \$980,000 from Excise Tax; \$150,000 Miscellaneous; \$2,500 from Cemetery Committee; \$138,000 from Transfer Station Capital Fund; \$175,000 from Rescue Billing; \$75,000 from URIP; \$24,068 from Rescue Billing Fund; \$94,000 from Rescue Equipment; \$79,312 from Ambulance Subscription and \$0 from Surplus. This is \$541,027 below budget requests at flat funding and \$470,000 less than raised last year. Motion by Selectman Gale and seconded by Selectman Girard that this be sent forward to the Finance Committee as the revenue stream. Vote 4-0-0. Reviewed the budget breakdown and stated that this is \$3,465,650 in expenditures. This does not include County Tax or SAD #57. Motion by Selectman Girard and seconded by Selectman Moore that they recommend \$39,295

out of surplus and add back into roads ditching program. Selectman Gale stated that this is a good investment however we're doing it with deficit spending. Felt they could always do through a Special Town Meeting if we come up with additional money. Selectman Moore stated that this isn't binding and would like to send to the Finance Committee with the money now. Selectman Gale stated that they are taking 18% out of the municipal budget. The Finance Committee will be receiving the budget tomorrow who will then want to meet with department heads. Stated that we will fund 32 hours and expenses for the deputy and the Sheriff's Dept has agreed to pick up the cost of the additional 8 hours. Selectman Abbott stated that we will be cutting back townhall hours to 32. Selectman Gale noted that he doesn't feel that when you are cutting back you can cut back on safety. Also noted that there will be cutbacks in staff at the Transfer Station not hours. Vote 2-2-0. Motion fails. Motion by Selectman Gale to present the package as it stands. Fails for lack of seconded. Motion by Selectman Girard and seconded by Selectman Gale to move forward excluding the road budget until next week. Vote 4-0-0.

### **OLD BUSINESS**

1. Selectman Girard questioned Chief Bors that if they get rid of this piece of equipment will they need to replace it in the near future which Chief Bors stated they would not. Motion by Selectman Gale and seconded by Selectman Girard to grant permission to Chief Bors to sell Engine 2. Vote 4-0-0.
2. Chief Bors explained that the airboat had been taken over by County but because of budgets a year later came back. It requires specialized training and because it was acquired with a grant there are complications with getting rid of it. Would like to trade for a piece of equipment we could use. Stated that he has been speaking with homeland security for the State of Maine about what we can do and they are looking in to how it would affect us. Noted that the State Warden Service is interested. Would like to see it stay within the state. All agreed to allow Matt to negotiate with other agencies and come back with a solution.
3. Selectman Abbott noted that they worked on the Solid Waste Ordinance at the last meeting and will be working more on it next Monday.

### **OTHER**

1. Motion by Selectman Girard and seconded by Selectman Moore to sign the warrants for bills and payroll. Vote 4-0-0.
2. Motion by Selectman Moore and seconded by Selectman Girard to accept the minutes of 4/27/09 as written. Vote 4-0-0.
3. Selectman Abbott read the reminders.

### **DISCUSSION OF AGENDA ITEMS**

1. Schedule a workshop for partial payments
2. Road money for budget
3. Letter to criminal justice committee
4. Solid Waste Ordinance
5. 6:00 – Tom Ursia and Planning Board re: Checklist
6. 6:15 – Pam L'Heureux – Discuss Deputy EMA Director

Matt announced that chipping applications for firewise are available and no burn permits are being issued right now.

**ADJOURNMENT**

Motion by Selectman Moore and seconded by Selectman Girard to adjourn at 7:54 p.m. Vote 4-0-0.

**SIGNED:**

- 1. Warrants for bills & payroll
- 2. Minutes of 4/27/09
- 3. Appointment Papers
- 4. Payment Arrangements
- 5. Concealed weapon application

**APPROVED:**

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

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