

MINUTES

Sept. 10, 1985            Selectmen's Meeting

Present: Chrmn. Dennis Abbott, Andrew C, Woodsome, Jr., Robert C. Fay  
Jean Chick, Glenn Bean, Sr. Rd. Comm.

Doris Dyer: Ms. Dyer owns property on the so called Cluff Rd. in No. Waterboro. In to request that this private road be snow plowed as she will be residing on that road year round. Selectmen told her that if she wanted the road plowed she would have to submit an Article for the Warrant at Annual Town Meeting in March, 1986. Also for the road to be accepted by the Town it would have to be brought up to Town Road Standards. Glenn Bean, Rd. Comm. was asked by the Board to check this right-of-way out and see what would have to be done to bring it up to standards, the work would have to be done by the abutting property owners.

LA. Lots: July Bidders on Town Owned lots at Lake Arrowhead Estates had until 5:00 PM tonight to contact the Town's Atty. regarding payment of the amounts bid on the lots. As of 3:30 PM. they had not visited Atty. Roger Elliott's Office. At 3:30 PM this afternoon Clerk Jean Chick called Atty. Elliott's Office. Atty. Elliott said that Kent Lewis's Atty. , Atty. Vickerson who has been representing Mr. Lewis for some time had called his office twice. The first time he told Elliott that he was getting a Restraining Order against the Town of Waterboro because the Town planned to sell the LA. lots tomorrow to the second bidder. Atty. Elliott told them the Town would not sell tomorrow. And that the Bidders still had until 5:00 PM to make a 10% unrefundable deposit or pay the full amount of the highest bid.

Atty. Vickerson called Atty. Elliott the second time and said they did not place a Restraining Order against the Town, however, they did start something at the Court House agaist the Town, which Atty. Elliott said he or anyone else could not stop them from doing. Atty. Elliott said that if they came in here at the Town Office accept their check and give them a receipt.

At this time Selectman Fay made the motion that if they did not meet the deadline and there was to be no litigation that the situation was over . Selectman Woodsome seconded.

Thomas Cole of Cole Assoc.: Mr. Cole stopped by the Office to inquire on the staus of the bid he submitted in August on all Town owned lots at Lake Arrowhead Estates. Mr. Cole was told by Chrmn. Abbott that the Board was not sure at this time if the prior bidders had met their deadline time of 5:00 PM tonight at Atty. Elliott's Office by leaving off either 10% deposit or payment in full. Chrmn. Abbott asked Mr. Cole to meet with the Board on Sept. 17th. at 7:30 PM, unless he heard different and at that time the Board hoped to have a decision.

James Hodnett: Bidder on lots A399 , 2144 & 2145 at the Tax Title Land Auction held Aug. 10th. in to request a tqo week extention in order to make soils tests on lots 2144 & 2145. Selectman Fay made the motion to extend deadline to pay for two weeks. Chrmn. Abbott seconded. This will give Mr. Hodnett until Sept. 24th. at 8:00 PM to pay for the lots. Mr. Hodnett states that he does not wish to purchase lot A399

His reason being that the past dues owed Lake Arrowhead Community are too high. The Board asked if Mr. Hodnett would sign a letter to this, a letter was typed up and Mr. Hodnett signed the letter stating that he did not purchase lot A399 because of the outstanding dues at LAC against the lot.

Waterboro Fire Dept.: Charles Drapeau in to request a Special Town Meeting be held in order for the Fire Dept. to request the monies and all interest from the Fire Truck Fund. The Special Town Meeting will be held on Sept. 24th.

Mr. Drapeau was informed that Brunetti's Rest. had requested a Dry Hydrant by their restaurant. Mr. Drapeau said he knew all about it and that the Fire Dept. would write a letter for Brunetti's stating that the Ossipee Lake in that area was open year round and a dry hydrant would not be necessary.

Mr. Drapeau was asked if the Dept. would take a portable pump up to the Ladies Aid Society property on Clark's Bridge Rd. and pump the new well out as the water appears very dirty and cloudy. Drapeau said he saw no problem. Selectman Woodsome also asked that at that time the well be spiked with a cleansing liquid.

Mr. Drapeau said that at the Fire Dept. last meeting they voted to purchase a \$11,000. truck to accompany the Ambulance.

Mr. Drapeau brought in a copy of the list of chemicals used at the Southern Maine Finishing Corp. This will be copied and returned to the Fire Dept. This paperwork is called a Contingency Plan.

Selectman Woodsome asked that Sam Woodsome get in touch with him when the Dept. got ready to pump out the Well.

Anthony D'Amelio: In to request an extension on Lot 26 Map 3, which he was the successful bidder on at the Town's Tax Title Property Auction held Aug. 10th. Mr. D'Amelio said he needed time to research back to make such no other liens besides the Town was against the property. Chmn, Abbott made the motion to grant an extension until Sept. 24th. at 8:00 PM. Selectman Woodsome seconded.

Rd. Comm. Bean: Selectman Fay informed Bean that the cross walk lines had to be painted at Blackburn's Campground on Route 5 as the State will not be doing it. Bean said he thought that was Ed Waterhouses job. Fay reminded Bean that he was the Road Commissioner and should see that the job gets done.

Clarks Bridge Rd: The construction project was discussed. The Board have been made aware of the fact that the Ladies Aid Society members are very dissatisfied with the work in front of their property, the Parsonage. The Ladies Aid have lost more of their front lawn by the construction that they had originally thought they would. A meeting with the Society members, Town Engineer and any Selectman that can be available at that time, the meeting to be held at the site 3:00 PM., tomorrow afternoon.

The Board discussed also the fact that with the Special Town Meeting planned for Sept. 24th. that an Article should go on the Warrant requesting more monies to complete the Project.

Hamilton Road: The question was raised about the fact that no one had heard from Walt Stinson regarding Plans to do the necessary work on Hamilton Road before Winter. The Board will have a letter go out to Mr. Stinson, Town Engineer and ask that the Plans be completed by the end of this month or the Town would be forced to hire someone else to do the Plans.

Middle Rd: The road work needed by the Abraham property was discussed and Rd. Comm. Bean was asked to discuss the with Bud Beal how much it would cost to have Beal take hill down and fill with gravel.

Lyman Selectmen: The Board of Selectmen of Lyman will be asked to meet with this Board Sept. 17th. at 7:00 PM. The Lyman Board have requested that they be able to share the Town of Waterboro's Salt Shed this Winter the Board would like to discuss this with them before making a decision.

Jean Chick. was asked to call MMA and inquire if the Town should get a vote from the people before allowing the Lyman to share the Salt Shed. Also the question on how the Town registers their Salt Shed with the State under the new law, by letter or will the State issue an application to use.

Proach Dispute: Atty. Karen Lovell out of Atty. Elliott's Office was attending a meeting on the Great Ponds Act with the C.E.O. , Planing Board and Conservation Comm. was asked to set in on a discussion concerning the division of property owned by the Proach's which is in violation with the Town's Zoning Ordinance. Proach's Atty, Austin has requested a meeting with the Board. The Board and Atty. Lovell feels that the meeting is unnecessary as the Board would not be able to modify the Town's zoning requirements. The Selectmen feel that the only resolution of this matter would be to combine all three lots and divide them into two lots that would meet the zoning requirements. If this is not done then the Town will file suit next month. Atty. Lovell will notify the Proach's Attorney of the Selectmen's decision.

Town Transfer Station: Selectman Woodsome reported that Mr. Stevens of Custom Transfer Co. had the new gate done and ready to install at the Dump entrance.

YWCA: Selectman Fay made the motion that the Town bill YWCA for property owned by them which has always been exempt. Chrmn. Abbott Seconded. Mr. Fay wante the bill to go to the Treasurer of this Chapter, he would like it proved that this YWCA is still a registered Chapter.

Finance Comm: Selectmen appointed John Montieth as Chairman of the Finance Committee. Chrmn. Abbott instructed the secretary to send out letters to all Department Heads and Organizations asking them that they submit Preliminary Budgets to the Chrmn. Montéath before October 15, 1985. Also to send a letter to the Members of Finance to meet on October 15th.

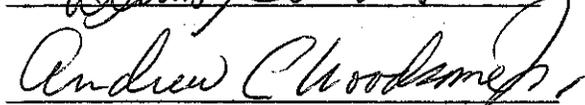
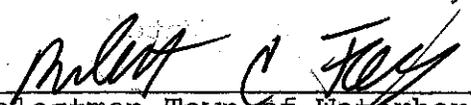
Conservation Comm: The Board was informed by Selectman Fay that his daughter Terry Jo would resign from the Conservation Commission as she is busy with her studies. A note to go to the Conservation Commission requesting that they give a report on water tests done in Town at the next Council Meeting on Sept. 17th.

Snow Plowing Contract: Douglas Foglio signed a Contract to plow the Southern Section of Town. Paragraph 2 Section (a) the words "sidewalk on the West Road" was stricken.

1985 Taxes: On Sept. 6th. the Commitment to the Municipal Treasurer Dianne Holden. Commitment being \$1,116,864.06. The Board also signed the Assessor's Return to the York County Commissioner's Warrant.

Great Ponds Act: Atty. Karen Lovell was asked to meet with the Board to discuss the Proach dispute with the Proach's and their attorney. As it turned out the Proach's attorney was unable to meet on Sept. 10th. Therefore, Atty. Lovell would not be attending a meeting in Waterboro. Since she had planned to be here anyway she had not been called again regarding her setting in on the meeting with DEP, CEO, Planning Board & Conservation Comm. Secretary Jean Chick called The Board of Selectmen and asked if they wanted Atty. Lovell called and asked to attend the meeting regarding the Great Ponds Act that would be discussed at the meeting. Chrmn. Dennis Abbott voted no, he said this is a State Law, State will sue violaters: Town should not pay an attorney to attend. Selectman Woodsome voted yes, as the Town has two violations on Ossipee Lake and at the meeting zoning changes will be discussed. Selectman Fay left a typed message giving his vote and reasons. (see attached)

Approved by:

  
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Selectmen, Town of Waterboro

I agree with Dennis here - the state has laws, and we do not yet know that the state is unwilling to enforce them.

I am ,however, slow to vote against anyone using their town attorney if they feel it is necessary even though I strongly feel that we are overusing them.

Woodsome uses the attorney more than any selectman I have ever been around.

Again though, it is difficult to vote against that since use of the town attorney is supposed to add up to correct decisions.

I am disturbed that there is no mention of the Planning Board here. It bothers me that members of this board feel this Planning Board can be bypassed on these matters.

Since there are not many undeveloped areas of the lake left, are not many areas which are not forever grandfathered, what zoning changes Van has in mind? *does*

However, anyone should be able to initiate zoning changes and if it is a town official such as Van the changes should have the benefit of an attorney's opinion...but, of course, should be submitted to the Planning Board for their opinion and possible support when done.

I feel that the Planning Board and the code enforcement officier are capable of submitting the violations to the state people without an attorney. If Van has reason to believe that the cases need our attorney monitoring them and applying pressure I can't vote against that. I assume he must have reason to so request the attorney. I can't vote against Van getting an attorney's opinion of possible changes to zoning that he plans to submit to town vote.

So though I believe Dennis to be absolutely right regarding state law- and state enforcement, and even though I am voting with reservations, I will not vote against attorney use (within reason) if a town official feels strongly it is necessary. So my vote is yes.

Bob

*Jan*  
*this opinion*  
*I vote should go into*  
*MINUTES AS IS.*

