

SELECTMEN'S MEETING MINUTES
NOVEMBER 29, 1994

Regular meeting of the Waterboro Board of Selectmen.

PRESENT: Chm. Dennis G. Abbott, John C. Montieth and Robert C. Fay.

Also present: Selectmen's Assistant Dwayne Morin, Parks & Rec. Chm. Robert Gobeil, and Finance Committee member Art Smith, Road Commissioner Glenn Bean, Sr.

REPORT OF STANDING COMMITTEES:

DWAYNE MORIN: Dwayne discussed the following issues with the Board:

1. Dwayne Woodsome was in several months ago to see about gifting to the Town the turn a round on his property on Bennett Hill Road for the snow plows. He stated that he was told it would be on the next Special Town Meeting. The Board doesn't remember telling him that. Dwayne stated that if not on the warrant that Saturday he will block it off so it can't be used. Chm. Abbott stated that out of the meeting, Dwayne was going to measure out and give the measurements to the Town. He told the Board that he would get all the dimensions. Also Chm. Abbott would like to remind him that he can't put rocks in the Towns right of way. Both Chm Abbott and Sel. Monteith can't see putting it on the warrant now. Sel. Fay asked if there are any advantages. After discussion the Board agreed it will be put on the warrant if Dwayne comes up with the dimensions.
2. Roof is leaking, have had someone look at it. It is leaking between the old and new roof. The roof over the bathrooms downstairs is rotted through.
3. Present new time sheet. Now has a better breakdown of the hours. i.e. vacation, holiday, sick etc.
4. Have received a letter from the EPA that the lagoons have been dropped from their list.
5. Sales and purchase agreement from Clayton Hurlbut has been received. Roger Elliott would like to review and have a ratification clause. Asking for \$1,000. each lot. Sel. Fay asked when does Mr. Hurlbut want his money. Dwayne told the Board when the sales agreement is signed.
6. Dwayne presented the Board with a copy of the draft letter to Wes Phinney to come in and discuss problems with the Town and the Sheriff Dept.
7. Water District Trustees replacement will need to have a special election. Will run the by the Town's attorney. Chm. Abbott asked if someone could be appointed as an interim. Dwayne didn't think one could be appointed. Art Smith asked what would happen if two trustees resigned and Dwayne stated that the district would be defunct.
8. Board will have Tim Nelson in next week to discuss the CEO replacement.
9. Board will hold Council Meeting on Dec. 13th, immediately following the Special Town Meeting.

Chm. Abbott reported to Road Commissioner Glenn Bean, Sr. that the intersection of West Road and Red Schoolhouse Road is very icy.

NEW BUSINESS:

PARKS & RECREATION: Don Martin, Andrea LeFevbre and Robert Gobeil represented the Parks & Rec. Chm. Abbott explained that the Board is still holding kick off meetings and still have not meet with several committees. Asked if the credit at F M Abbott's has been used. Bob Gobeil told the Board that it was used towards a new mower. Sel. Fay asked how many members are on the committee. Andrea told the Board that Tim McMakin has resigned so now there are 6 members. Chm. Abbott asked if a member represented Shaker Valley. Andrea feels that Greg Mehlhorn will. Chm. Abbott told them that he has heard concerns over Sr. Little League & Babe Ruth. Bob stated that there is still \$1,800. left in the Babe Ruth account. Sel. Fay asked how many kids involved, and Andrea told him about 13 to 15 teams. Sel. Fay asked how the skating rink at Blackburn's is coming along. Andrea told the Board that have contacted Dana's wife and she feels there is no problem, but have not yet talked to Dana. Do have concerns over parking. Would prefer Dana's over the church. Dana has concerns over liability. Sel. Fay asked about lights. Bob feels that the outside lights at the church will be sufficient. Dwayne suggests blocking off the two culverts. Andrea stated that the comm. has concerns over snowmobiles using it as a trail. Sel. Fay asked if they have ever met with the Lake Assoc. and was told no. Bob stated that he attends the meetings. Suggests a joint meeting before April. Sel. Fay suggests at that meeting discuss the problem of littering on the ice. Also problem with Game Warden's showing up during the week on not on weekends. Discussed the balance on the Summer Rec. Program, would like to roll into a trust fund. Chm. Abbott told them to put it in this year's budget request that they would like the balance put into a trust fund. Bob told the Board that they have marked off a spot at Friendship Park for a tennis court and would double as a skate board park and would like permission to start. Chm. Abbott told them that before paving is done, would need to have town meeting approval. Andrea stated it would probably be a basketball court with a skate board park. Chm. Abbott stated that before any money is spent the committee should go before town meeting for approval. Okay to start the ground leveling. Will need to show a plan and show what will be needed for money to be spent.

TAYLOR HOUSE: Dianne Holden, Virginia Day, Bob Gobeil, Judy Carll, Jim Carll, Steve Kasprzak, Art Smith represented the Taylor House. Sel. Fay asked if there is anything the Board could do for them.. Jim stated not now, have closed up for the winter. Jim reported that some members of the Deering family would like to donate a piece of property for the old school house on the Deering Ridge Road, but other members are against it. Possibility that the building will have to be moved. All present agreed that if the school house is moved it would be better preserved. Allot of vandalism is taking place. Have had good response on Saturdays to the Taylor House being open. Judy told the Board that they have had really nice and interesting things donated.

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Also may be replacing the floor over the shed and opening that up to rooms with displays. Steve would like to see a park with greenery surrounding it.

WATER TRUSTEES: Mike Hammond and Dave Benton was in to discuss the resignation of Charles Drapeau. Chm. Abbott told the trustees that what has been gathered for information is that the Trustees will need to call for an election. Mike asked why can't the trustee be appointed? Dwayne told them that due to the charter the trustee will need to be elected. Dave thought if the trustee was appointed then the Board could appoint a replacement but if elected would need to hold an election. The district will need to fund the election. Chm. Abbott told them that other issues need to be resolved one is what do they want out of the staff of the town office. The town office has no authority now that there is a district. Dave told the Board that they have almost ironed out a procedure to follow. Lately something has broken down. Have 54 hookups with no problem now there is a problem with application etc. Now that they have a contact with Bob Edwards, things he was doing before he is not doing now. Will also have a complaint procedure in place. Mike stated they meet the 1st and 3rd Mondays and people can attend the meetings. Chm. Abbott told them that they need to know when people have a problem, they want to talk to someone. Mike stated that there is a lot of mis-information going around. Dave stated that they are also doing a new application. Chm. Abbott told them that when everything is in place, they should have a meeting with the office staff to let them know. Dwayne asked about the outstanding bills that the town office is getting hounded for. Dave stated that he thought they were taken care of. Chm. Abbott suggests on the bottom of the bills put the dates and times of their meetings and telephone numbers to call if they have a complaint. Dave told the Board that they can apply for lower hook up rates will try to get more people to hook up. Doug Foglio suggests that when a building permit is issued, and before an occupancy permit is issued, the applicant will need to sign off either sign up for hook up or not.

ATTORNEY'S ROGER ELLIOTT AND KAREN LOVELL: Roger and Karen was in to discuss the Walton case. Sel. Fay asked, if no shot at an appeal, what is the cost to close the deal. Roger told the Board stated that Mr. Walton is looking for a settlement of \$26,000. and did try to get down to \$15,000. Sel. Fay asked what would be the cost of an appeal. Roger feels towns attorney around \$5-7,000. and if the town loses Walton would want \$40,00. instead of \$26,000. Sel. Fay feels that \$26,000. is allot of and both Roger and Karen agree. Dwayne stated that the assessment of the three lots would be no more that \$25,000. Walton wants three lots or equal value plus attorney fees. Roger told the Board that Judge Perkins feels that the town picked on Walton. Chm. Abbott told Roger that there was allot of emotion at town meeting not to give him the lots. Sel. Fay stated that if \$15,000. would consider a settlement but has a problem with \$26,000. Sel. Monteith would just like to close the books. Sel. Fay would like to offer him \$15,000. Roger suggests offering him \$40,000. and keep the three lots.

Karen is not so optimistic as Roger is on an appeal. Chm. Abbott feels that the maximum amount in what the Town will pay should start at \$15,000. but not over Roger's fees. Roger feels that there is a 10 - 20% shot on reversing Judge Perkins decision. Karen told the Board that they would need to prove that there was not a breach of contract. Board voted and agreed to have Roger Elliott negotiate with Mr. Walton, starting at \$15,000. and going no higher than \$20,000.

DOUG FOGGIO, SR.: Doug was in to discuss the snow plow contracts. There are two things, a turn a round had been added just before Don Ford's property on the Jellerson Road and the plowing of the library. Always receive complaints on how the library is plowed. Roger Thyng is the driver for the East section. All subdivision circles are being plowed by a loader, and now has received complaints that the loader is backing up to fast. Would like to add to the contracts that he would have the right to sub-contract Moon Penny Lane, and other lanes. Sel. Fay asked if the Board would be apprised of the subcontractor and Doug told them that they would. Also subcontractor could use pick up trucks where as he couldn't due to the contract provisions. Also discussed a turn a round beyond Roger Larkin's on the Ossipee Hill Road. Doug told the Board that the property was recently purchased by Sam McCoy's son. Town will send a letter to obtain permission to turn a round there. Discuss the Knight Road. If the plow stops where they have in the past it will block the road. Now there is a new house recently built beyond where the plow stops. If Doug goes beyond, he would like permission where it is not a town road. Doug will come in and meet with Dwayne and go over the amendments to the contracts. Board voted to take off the Library parking lot from the snowplowing contract and add to Fred Fay's contract.

SIGNED:

Board signed the contract for payment of bills and payroll.

ADJOURNMENT:

The motion for adjournment was made at 9:45 p.m.

approved: _____




