

**SELECTMEN'S MEETING MINUTES**  
**OCTOBER 8, 1996**

Regular meeting of the Waterboro Board of Selectmen.

Present: Bob Fay, Dennis Abbott, Dale Witman, Millard Genthner, Pat Sicard, Bob Gobiell, Dave Dittmer, Ralph Stanley, Patti Berry.

**APPOINTMENTS**

6:45 Nancy Brandt (Town Clerk) enters the meeting. She had a problem with people with campaign paraphernalia, it is the State Law that no one have any campaign with 250 feet of the Clerk's Office 45 days before an election. There are people who have a problem with Nancy asking them to remove their campaign material. She has spoken with The Elections Office in Augusta and they feel that she is to enforce the law. The Selectmen decided that if someone comes in to do personal business and they happen to have political paraphernalia, to let them go about their business and leave. But if they blatantly leave their vehicle with campaign signs on it in the parking lot for an extended period of time that she is to ask them to move it.

7:00 Dave Dittmer enters the meeting. Bob asks him about Buddy K. contract and if he is supposed to bring in the trash cans at the public parks, and if he is supposed to bring in the swimming lines at Rte 5. Dave says, yes he is supposed to do those things. It isn't expressed in his contract but implied and he will reword the contract for next year so that it is expressed. Dave informs the Selectmen that Buddy is also supposed to take care of the well and water lines at Friendship Park before a hard freeze. Dave will call Buddy tomorrow and let him know.

Dave informs the board that he and Bob Gobeil and Pat S. met and discussed changing the Park's and Rec. Ordinance to make The Rec. Director over the committee as well as what he is already doing. Bob G. says that the Committee is in agreement with this and they will have a formal vote on it at their next meeting on 10/14. We have to look into how we go about doing this, whether the Selectmen can just vote on it, or if it has to be voted in by the Town.

A comment was made that Park's and Rec. "could" go hand in hand with the Conservation Committee.

Dave reports that he has been looking at the Comprehensive Plan that was formed in 1990 for Park's and Rec. and is trying to use that as a guide in his plans for the Rec. Dept. He reports that he spoke with Len Vangazpeek at Lake Arrowhead and they are interested in being more involved with community and are willing to let Waterboro residents use the swimming pools for lessons and possible using the clubhouses for senior card clubs. Lake

Arrowhead would like a town ballfield in their community and with the amount of kids in that area the board agrees that these are all good ideas. We will have to look into insurance coverage and budgetary issues. Dave would like to take bids on what it would cost to build a ball field. Selectmen would have to see bids before anything gets done. Also, this is in the budgetary stage and any bidders would have to be told that we are not contracting anyone, we are just getting figures.

The subject of Senior Rec comes up and Dennis says that The Lions do have some functions for seniors and maybe we can build on that. Dave says he has spoken with the Lionesses and Toni Todd on this subject and is working on it.

Bob asks about Winter activities. Dave says he is working cross country skiing and maybe the Town giving discounts to local ski areas. Bob reminds Dave to check about insurance liability always before going into anything. Dave says he is using February vacation as a target week for Winter Carnival. He would like to tie in with Lake Arrowhead on their Christmas program. Maybe we can have a Town Christmas Tree. Pat S. has an idea on Having a memory tree. Also Dave is working on Christmas Caroling.

7:20 Dwayne Woodsome enters the meeting. He wants to discuss his proposal of selling his land across from the dump to the Town. Bob informs him that the board has not arrived at a decision yet. We are waiting to hear from the Committees that we've asked to look into this. The Selectmen asked Dwayne what his time frame is and what price he is asking. Dwayne says he is asking what the town has appraised the land for at \$39,100. And he didn't really have a definite time frame. Bob informs him that there are mixed feelings on the board about this and they are waiting to hear from the Finance, Road Review, Conservation, Parks and Rec. Committees and from the Road Commissioner, The Treasurer. Bob says if he can wait two weeks we will have a yes or no answer as to whether or not we would be interested. If we are it will still have to go to Town vote in March and money would not be available until next July. We need to make a copy of his plans and get his copy back to him.

7:35 Ralph Stanley enters the meeting to report on the Code Enforcement Office. The first issue he brings up is Paper Streets. He says we need to identify what we are talking about, and look into who should be or should not be involved with this issue. Dale asks didn't the Planning Board vote to go with a 20 year extension? RS says, It isn't that simple. Also thinks that the planning board should be the place for discussion. Dale would like to see the paper streets that are blatantly obvious be taken care of, no a blanket continuation of all of them.

The next issue discussed is the Hopkin's garage on the Hamilton Road. There was a letter from the Hopkin's attorney sent directly to our new attorney. Ralph read it to the Board. It was an introduction and summary of the problem to our attorney of the ongoing issue the town has with the Hopkins. The board explains the history of this to Ralph. The selectmen say that their stand on this is, offer the Hopkins the same options that they sign

off liability for plowing damage to their garage if it happens because it is in the right of way. If they aren't interested the garage will have to be moved. When the permit was given by Van Foglio in 1985 it was for an attached garage. When we ditched and paved the Hamilton Road we exposed the fact that their garage was in the right of way, and it is non-conforming, and it became a problem.

The next issue is Junkyards. Ralph says there is one that has no possibility of being. The other ones can come into compliance and he will be working with them to do that.

Ralph says he has heard that his attendance or lack of at Planning Board meetings has been talked about. He has a problem with the Board not following rules of meetings. Example: The latest amendment proposals to zoning ordinance were made after a motion to adjourn was made, which wasn't voted on, so in fact, if following Robert's Rules of meeting, no motions were legal after that. In the by-laws of the Planning Board it states that Robert's Rules will be followed. He feels the board should have workshops, learn Robert's Rules and use them, so that everyone can get fair discourse. He does agree that changes in zoning need to be made. His opinion on how that should be accomplished is that it start with Plan. Board go to selectmen, go to attorney, then to public hearing. He feels if we follow these steps people who want to be informed on town business will have every opportunity to be well informed.

Bob has no argument with following a slower procedure.

Ralph says there needs to be a basis for change. An average person in the town will ask what is the reason for this change and we should have some facts to give them other than, "We feel it is excessive." Not to get bogged down but to have some more information. His opinion is that we should have more discussions on why we should change. Would like input on what it means administratively. He feels we need more information on the nitrates issue, and on why we should change discontinuance. Change in extensions will make you have to look at whole non-conformity ordinance.

Dennis says that he would hope that there we some workshops for changing zoning for January special Town meeting so that we can have time for more important changes at March Town Meeting.

Bob feels that some of the restrictions make so little sense. He asks what "substantial construction" means in the ordinance and is it spelled out or is it someone's interpretation.? (In regards to 6 month variance.) It is in our zoning ordinance. Ralph agrees that it ought to be reworded and it should be for 1 year. He says the ordinance is too structured on variances and that it ought to be recorded at Registry of Deeds after construction is built with the variance recorded. He feels the time frame has to be reworked. The variance can run out before the building permit runs out, then the person has to come in and apply for the variance again. Ralph feels that the variance should deal with variance issues, not the work that is being done. The way it is now "substantial

construction needs to be started within 6 months of the variance. The appeals board should inform people of the time frame they are dealing with when they grant a variance.

Ralph says he needs a Planning Board that is willing to work on changes so that zoning is not static, it is always ongoing—moving.

Dale says the most complaints he hears as a selectmen is that our town ordinance is twice as restrictive as other towns.

On the nitrates issue, Ralph's opinion is we don't know enough about nitrates and what they will do to us. He feels we need more documentation, and to understand what it means, and what the safety factor is. Do we look at downsloping? Do we predicate on soil types.

Dennis doesn't see the need to rush any of these zoning changes. Bob agrees.

Ralph thinks that two members of the Planning Board might be leaving. It is his opinion that they look exasperated, or overwhelmed. He asks the board if they know of anyone who might be interested in being involved with the planning board. He says there is a feeling of intimidation on the board, and on people interested in being involved with the town. He says that is a perception, whether it is fact or not doesn't matter, it is the perception of the people, "that we are not all equal." He says this is just his opinion as an outsider of this town and what he is observing as an outsider. Bob says that that image goes through the Town Hall. Pat Sicard agrees that the image of the town hall is "terrible." She says people are intimidated at meetings and felt uncomfortable enough to never come back and participate." That is not what we want. We need to put an objective process in place.

Bob says the board is working on changing the image of the Town Hall. They are changing the image of people working in Town Hall. Dennis says we have an advantage that we haven't had in a long time. Now we have new eyes that have a fresh look on issues. We have a long way to go, but we are moving forward, slowly, but forward is better than going nowhere.

Ralph says he wants ordinance fixed and workable as much as anyone. He prefers a pro-active approach to a re-active approach. We need to start the process of ideas coming into the planning board to start the board working on changes.

Dale says he has heard positive things about the Code Enforcement Office from the public. Ralph says he would rather cooperate with people, than not. Ralph does not feel that it is up to him to initiate any changes to the planning board. Bob agrees that it should come from the Board to start changes. Ralph says ideas have to be self generated from the Planning Board, or the public, not from him. Dale says Ralph should be a motivator, not a director. B Ralph says he will be a motivator but not the kick starter. The board of selectmen can make suggestions to the planning board.

Ralph's opinion is that the Planning Board should be out of the variance business entirely.

Bob does not feel that the Planning Board should be the basis for all zoning changes. Pat S. suggests that someone does outreach to the community for ideas and then work is done to facilitate it.

Ralph suggests that for Town meetings the Board hire a neutral moderator. There are such people, who are usually attorneys who know the rules of holding a meeting and will follow those rules and allow only minimal discussion. Input or changes should be worked out at public hearings, not at Town meeting.

Dennis feels that the issue at Town meeting is there are some forceful people and part truths that come out that people react to. He feels if there was equally strong voices on both sides of an issue it would divide town meeting in half.

Ralph and the selectmen agree that communication between the two offices needs to be more open. He would like the board to tell him directly if they here of any complaints as well as the Board would like to be informed from the CEO office, of there are any problems. Bob feels that there are some strong voices and opinions coming into the Town Hall, and that is a good thing, even if he doesn't always agree. Conflict at times brings about some good changes when everything is said and done. Pat Sicard says that the image of Town Hall will improve if people get the feeling of give and take. Ralph leaves the meeting at this point.

Pat asks the Selectmen if they want to appoint the person she talked with about being assistant animal control officer. They tell her to have the appointment papers drawn up.

## **DISCUSSION**

The Board discusses setting the tax rate for next year. They set the tax rate for 1997 at .01785.

## **EXECUTIVE SESSION**

Motion was made to go into executive session to discuss a personnel matter. Also to discuss tax abatements.

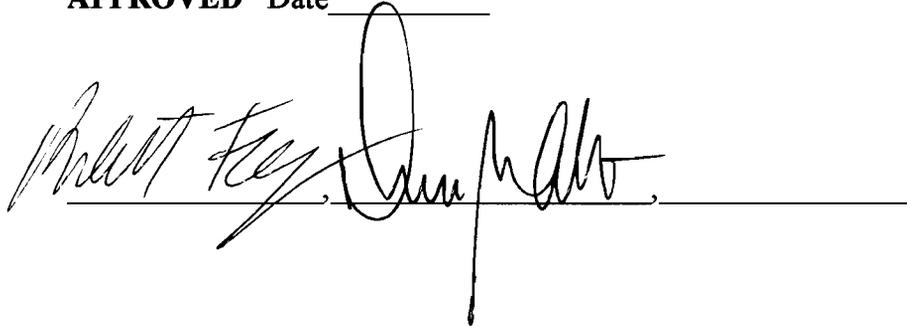
**SIGNED**

The Board signed the warrant for Bills and Payroll.

They also signed: Appointment papers as follows: 1. Molly McDaniel to the Finance Committee. 2. Chauncey Gerry as Election Warden. 3. Nancy Brandt as Deputy Election Warden.

One municipal quit claim deed.

**APPROVED** Date \_\_\_\_\_

Handwritten signatures of Matt Fey and Nancy Brandt over a horizontal line.