

**SELECTMEN'S MEETING MINUTES  
OCTOBER 29, 1996**

Regular meeting of the Waterboro Board of Selectmen. Present: Bob Fay, Dennis Abbott, Dale Witman, Pat Sicard, Patti Berry, Ralph Stanley, Millard Genthner, Roland Denby, Larry Jacobsen.

Meeting comes to order at 7:00 p.m.

Bob Fay motions to sign General Assistance Ordinance. Dennis Seconds. Dale votes yes. Motion is passed.

Pat Sicard reports that Donna Staples from Human Services in Augusta came in and gave information on General Assistance applications for our information. John Monteith sat in on this meeting.

Pat Sicard reports that the next meeting of the Conservation Committee will be next Wednesday and they will be dealing with the Moody Pond easement. They are trying to come up with a new option on that issue. Pat will go to the meeting and report to the Selectmen next week.

Snowplowing of Middle Road was discussed. The final result of the discussion is that we need more information on the distance involved. Patti will check with Doug Foglio this week.

**APPOINTMENTS**

7:10 Ralph Stanley enters the meeting at selectmen's request. Ralph asks if DEP has given anything in writing to the Town on the Swett K-1 spill. Concerns are about the cleanup. Only ½ has been cleaned up, the other ½ was left because digging out the ground around the tank would undermined infrastructure of the tanks. The Fire Marshall wants to come look at it. Dennis asks isn't Irving Oil responsible, because #2 fuel oil was ordered and they delivered K-1 to an already full tank. There are no gages on the tanks, they are not set up for a spill (there is no containment). There are two 4,000 gallon tanks for K-1, one 10,000 gallon and two 24,000 gallon tanks for #2.

Dale's concern is the manner in which it was handled. Our emergency services were not notified for 6-8 hours after the spill. It was never reported to the Town. "We found out about it." Bob asks how dangerous it is. Ralph said that ground water contamination is the biggest concern. K-1 does not evaporate. It saturates, permeates and stays there.

Another concern is that the site is totally accessible, there should be fences and gating, and someone should be on site to make sure deliveries are correct.

Ralph will let selectmen know what the Fire Marshall reports. It is some concern to him (the fire Marshall) and he will come out to inspect it. Pat Sicard reports the DEP says there is no ground water contamination but they do have concerns. The DEP has been asked to put these concerns in writing, which they have not done yet.

Bob asks Ralph what is being done with the Jones's. Next week they will be ready to set up an appointment with selectmen, then will go through public hearing process.

The next issue reported by Ralph is the Hopkin's issue. He has had two brief conversations with the Hopkin's attorney. The town is moving forward with this.

Bob Fay asks Ralph what is the access to plumbing inspections when Ralph is not here. Sharon is here. Steve Foglio is the assistant plumbing inspector, although he has never come in to be sworn in. There was a complaint about the office being closed on Friday, which turned out to be a misinformation and the person could very well have been served on Friday.

7:30 Wayne Paradis from DEP and a geologist from DEP entered the meeting at Wayne's request. Wayne goes over reports that he brought with him. He doesn't have the most recent CEH reports but will mail them to the Town. Dale asks which wells are being tested now, #2,3,6,7,8, and 12 at the last sampling, along with 3 surface water locations at Carpenter Brook. There was some contamination in test wells 6,7,8. Wells 2,3 had low level. There was only trace reported in well 12. The Brook is not contaminated. Petroleum Hydrocarbons were found in wells 2, 3. Volatiles were found in 6,7,8. Nothing was found in the stream at this testing. Soil sampling was done in the corresponding area. 1-8 are potential source areas. Possible contaminants where the degreasing plant was, and where fuel tanks were removed.

At source area 4, fuel oil was found in ground. Dennis thought DEP was supposed to clean that up. Wayne says it is still on the work list but is considered low priority. He will try to get more of an idea of when it will be done.

The biological assessment of Carpenter Brook was explained. There are three classifications for brooks. Class A being Pristine. Class B being OK, most streams in the state are classed as B. Class C being of low quality. Carpenter Brook is Classed as B now. Results of testing show that there is no significant impact on Carpenter Brook or near residents.

Wayne sums this report up with statement that DEP is still awaiting soils removal, they will continue to do semi-annual testing and he will be investigating potentially responsible parties.

Dennis reports to Wayne that we have had a 1500 gallon K-1 spill on Goodwins Mills Road. John Dunlap from DEP is not going to pursue this, although he has concerns, which have been requested by the Town in writing and, as of yet have not been received. Ralph asks at this point, if the surface water runs from Goodwins Mill toward Carpenter Brook. There was some discussion that plume had 2 directions from this area.

Wayne Paradis brings up the second issue he came to discuss with the Selectmen, which is, the Southern Maine Finishing site. He explains the maps that he has for our information. There are three wells that are tested at three levels, upper, middle and lower aquifer levels. Cooks Brook is a barrier. There are no problems at the Corbin residence. The testing that is being done is called TE2, where they test for metals, salts, turbidity, conductivity, PH levels, drinking water contaminants.

TE1 testing is for bacterial, which they are not doing at this time.

The indication at this site is that the unfiltered materials are naturally occurring. ( The Brook is cleaning itself. ) The current assessment of Cooks Brook by the DEP is Class A. Wayne says that this is an amazing success story. Nature has taken care of itself, almost as if nothing was ever wrong with the brook. At one time, all aquatic life was killed in the brook and the pond.

Dennis thought that at one time the DEP had planned to flush this site with a closed loop system. (pulling water out of plume and flushing it out ), Wouldn't that have sped up the natural process of the brook cleaning itself out? Yes, but luckily the end result is the same.

DEP has set up same sampling areas-(low filtered). Aluminum is the last contaminant that has been found. Dennis would be interested in receiving all the data that has been collected on all levels. Wayne will supply us with all raw data along with the last testing results.

Kevin Theriault enters meeting at this point. He gives his report of the K-1 spill. He hasn't heard much about the actual cleanup. His biggest concern is that the companies were trying to hide it from us. The town officials were not notified. The spill was on the ground for 3 hours before anyone was notified. Dennis asks if there a specific amount before it is required to be reported to DEP. Kevin believes it is 5 gallons. What about a time limit? We will find out.

New tanks that go in, have to be put in to meet safety codes. Don't old tanks have to be brought up to code? There should be a site tube so what is in the tanks can be seen, and have a diaper system to catch spills.

Dale asks, who is the enforcement agency in a situation like this. The fire marshal has authority over above ground tanks. The jurisdiction of a spill would fall under DEP response. Kevin says that the oil company should be obligated to report to officials and have a plan in effect in the case of a spill.

The discussion goes back to the Lagoon issue. Wayne Paradis does not have the additional work plan for the lagoons that the selectmen requested of him. He would like the board's input into the process. Wayne will notify the Town of any plans in advance of doing any work.

Dale asks for a ballpark time frame on putting this information together. Wayne said he should have the raw data this week and he will set a goal of having it ready early next week.

8:30 Kevin Theriault has an appointment with selectmen to discuss what should be done about the K-1 spill. Dennis thinks that we should call and ask the response team at DEP 1. What constitutes a spill 2. What is reporting procedure. What is law. We will be looking into this Hank Aho is the head of Hazardous Waste. Kevin reports that this has happened before, about 3 years ago, there was a diesel leak and they had a catch bucket under it. Pat Sicard drafted a letter to the owner of the company, it was signed by the Board. The Fire Marshall plans on coming out to inspect the site, Ralph will be with him and Kevin requests that he be informed of this, because he would like to go along. The board wants to find out if they got a permit to put the tanks in or did they just do it.

Kevin was asked how the new ambulance is. Great. The old ambulance is still in service. Pat asks him what is happening with the Survey. Kevin is waiting to hear from Neal Courtney's report.

## **DISCUSSION**

Dennis had a call from someone complimenting Chauncey. They were very impressed at his thoughtfulness.

Pat Sicard reports that she will be going to FEMA meeting tomorrow on Road damage. She will also be going to RWS meeting regarding the hauling of the Silver Bullets. RWS does not want to haul the silver bullets anymore, their truck is old and needs work, they don't want to replace it. Maybe we would be better off to look outside of RWS for this.

Pat reports that she has spoken with Lynn Parker, from Saco River Corridor Commission. Rex Koller is an active member, his commission needs to be renewed as of November. We will invite him to meet with the board and discuss reappointing him.

Larry Jacobsen would like to see zoning ordinance changes on home occupations. Would like to see it updated, to look at it with a more broad spectrum. Bob says there are clean ( quiet) and Dirty (noisy, high traffic) home businesses. Dennis agrees. Larry requests any ideas. He says there are probably businesses that we could patronize right here in town, or there could be, if our ordinance wasn't so strict. Although neighbors have rights, the ordinance needs to be modernized.

### **SIGNED**

The Board signed the Warrant for Bills and Payroll.  
They also signed:

1. Letter to John Scholl from Goodwill.
2. Tax Abatement for RTG lots in Lake Arrowhead.
3. One Me. State Police request for background check.
4. State Aid Certificate for Public Library.
5. General Assistance Ordinance.
6. Warrant for Special Town Meeting.
7. Minutes for 10/22 meeting.
8. Six tax abatements.

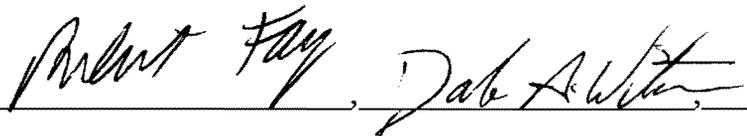
### **EXECUTIVE SESSION**

Motion to go into executive session was made at 9:30 for hardship abatements.

### **ADJOURNMENT**

Motion for adjournment was made at 9:40.

### **APPROVED**

  
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