

**SELECTMEN MEETING
NOVEMBER 18, 1997**

Regular meeting of the Waterboro Board of Selectmen. Attending: Dennis Abbott, Dale Witman, Brenda Charland, Patti Berry, Millard Genthner, Fred Fay, Doug Foglio, Len VanGasbeek, Jodi Troianni

APPOINTMENTS

7:00 P.M. Len VanGasbeek enters to discuss Lake Arrowhead dues. Dennis Abbott states that shortly after special town meeting in which it was voted to accept a gift of a Lake Arrowhead lot, this office was informed of the dues owed on the lot and the potential for the town to be responsible for dues. The Selectmen would like to know if this is the position of Lake Arrowhead. Len says he wanted to make the town aware that according to the by-laws of Lake Arrowhead that if the town accepts a gift lot the town could conceivably be billed the annual maintenance fee each year. After some discussion Dennis Abbott states that the town will get a legal opinion regarding dues and if the town is required to pay the dues does that give the town of Waterboro rights to use the facilities being the owners of record, and can the town extend these rights to anyone? Len states that a municipality being an owner only counts as one individual according to the by-laws. Len informs the Board that Lake Arrowhead has worked with Steve Murray on these issues.

7:30 Elias Smith and Ginny Pare' enter to discuss billing procedures of the Fire Department and Rescue. Dennis suggests to systematically go through the list of vendors and explain the billing procedures used at present time. It is decided that the vendors who contract with the Fire Department will be contacted to be informed that the agreement is now between the Town of Waterboro and them, and the contracts should be adjusted to reflect this. Expenditures that were paid in advance will be dealt with differently. An expense account will be set up and an expense report will be done for reimbursement. The local vendors will be asked to submit a monthly invoice to the town. We will send a directive to this effect from the selectmen's office. Relative to the budget request being due next week, Dennis states that they need to capture everything that was done in the past year and a half and go to town meeting with a real number for everything. There is discussion about what happens in an emergency situation if equipment breaks down. Dennis states that we need to know what is the risk of that happening. We need to make sure that there is sufficient money to operate and to set aside money for emergencies and identify it as a perpetual fund. Elias Smith asks the Board about the proposal to lease Scott air pacs. Dennis states that we need to see the specifics written into contract form to the Town of Waterboro, then it can be voted on.

8:30 Jodie Troianni enters to discuss winter maintenance on Thyng's Mills Road. Fred Fay and Doug Foglio are present also. Jodie states that it was her understanding of town meeting that her road would be maintained for the winter. The video tape of town meeting was reviewed and there was discussion about the intent of the motion and of the

amendment. There is a question that the motion was misquoted and the intent of the motion. Dennis adds at this point that although the intent of the person making the motion is unclear it is clear what the moderator said and that the townspeople voted on winter maintenance. Dale Witman states that the intent of the vote of the townspeople should be honored. There is discussion with Doug Foglio on the cost to plow this section of road, .5/10 of a mile is \$600.00 plus the turnaround which will be negotiated is the quote in the snowplow contract. Dennis Abbott made the motion that It is the intent of this board to pursue year round maintenance of Thyng's Mills Road for 5/10 of a mile pending getting permission and costs for a turnaround from property owners. Dale Witman seconds. Vote is 2-1-0. Brenda Charland requests at this time to submit a minority report to be attached to the minutes of this meeting. SEE ATTACHMENT

Doug Foglio asks at this time about complaints he received about the plowing of Ossipee Hill Road. The Board told Doug to plow this section as he has always plowed it.

NEW BUSINESS

1. Complaint received by the Yohman's regarding the selectmen's decision on their problem with their neighbor. Dennis Abbott made the motion that the correspondence sent to the Yohman's remains in effect unchanged. Dale Witman seconds. Vote is All in favor. Motion carries.

OLD BUSINESS

1. Appointment of a Road Review Committee. Dennis Abbott made the motion to establish a road budget with the assistance of the Road Commissioner and not to appoint a committee this year. Brenda Charland seconds. Dale Witman states at this time that he thinks the committee has proved to be beneficial in the past and would like to see that continue. Vote is 2-1-0. Motion carries.
2. Selectmen's Assistant Position is discussed. The Board agrees to look for an Administrative Assistant in the interim and if we can, facilitate some planning.
3. Equipment rates are discussed. The following rates set are including drivers. Dennis Abbott made the motion to set the size of excavators as follows: 1 ½ cubic yard excavator at \$85 per hour, ¾ cubic yard excavator at \$70 per hour, ½ cubic yard excavator at \$55 per hour. Dozers rates are as follows: D6 at \$75 per hour, D4 at \$55 per hour, D3 at \$50 per hour. Wheeler dump rates are as follows: 20-25 cubic yard dumps at \$50 per hour. Loaders are \$52.50 per hour. Dale Witman seconds. Vote is all in favor. Motion passes.
4. Computer upgrade is discussed. The Board decided to go with option I and III. After finding out what we pay now verses what we will pay with the upgrade there will be an official vote next week.
5. Selectmen's charge to the Finance Committee is discussed. Dennis Abbott suggests that the Finance Committee be charged with dealing with the financial articles of the warrant.

6. Discussion of amending tax title property ordinance. The selectmen want authority to dispose of tax acquired trailers in the most expeditious manner. We will check with our attorney to find out what process do we need to meet legal standards.
7. Discussion of Town Hall Renovations. Dale Witman made the motion to proceed with awarding the bid as presented by Maine Street Remodeling for the 3 phases of renovations. Dennis Abbott seconds. Vote is 2-1-0. Motion passes. Jeffrey Selker will be contacted and a schedule of work will be requested.
8. Town Report bids are compared. Dennis Abbott made the motion to award the bid to Lincoln Press for 2000 copies. Dale Witman seconds. Vote is all in favor.

OTHER

Brenda Charland would like to discuss how business is conducted in this office. Brenda would like to see in emergency situations an emergency meeting called if necessary instead of business being done over the phone. Dennis Abbott thinks that if there is an irate person requiring an emergency issue, they need to be heard. Brenda does not think that the selectmen should be dealing with people alone, she thinks that the people should be brought in to talk to the three of them. Brenda further states that she thinks complaints should only be received in writing, not over the phone to the secretary, and all requests of the board should be received in writing. Dennis Abbott states that in all practical cases that might be all right but there are instances where people want to be heard.

SIGNED

The Waterboro Board of Selectmen signed the Warrant for Bills and Payroll. They also signed the following:

1. Minutes of 11/4 and 11/13 selectmen meeting.
2. Agreement to extend Cable TV Franchise.
3. Four background check requests for ME. State Police.
4. Renewal of Policy for Tax Payments on Matured Tax Liens.
5. Renewal of Policy on Applying Payment to Overdue Taxes.

APPROVED

Date: 12/2/97



A handwritten signature in cursive script, appearing to read "Dale A. Witman", is written over a horizontal line. The signature is written in black ink and is somewhat stylized.

MINORITY REPORT

Subject: Motion and vote to plow and sand Thyng's Mills Road, relative to article 34 on the warrant, Annual Town Meeting, March, 1997

I voted against the motion, made by Dennis Abbott and seconded by Dale Witman, to plow and sand Thyng's Mills Road because the specific motion made at the Annual Town Meeting in March, was to raise \$10,000 to maintain Thyng's Mills Road.

That sum has already been spent by the Road Commissioner on improving that road with the approval of the Board of Selectmen because, by admission, all parties believed that sum was for the improvement of the road not for winter maintenance. The person who wrote the article did not understand the difference between maintenance and winter maintenance. I understand her frustration and sympathize with her inability to deal with the road during snow storms but if town officials feel the right to interpret town meeting rather than follow motions as made, the integrity of town meeting is severely threatened.

The Chairman states that he made his motion to provide winter maintenance on the belief that the motion made at town meeting meant winter maintenance because the motioner said "whatever it takes". That statement was indeed made. Not as part of the motion, however, but as an afterthought when asked by the Moderator if he meant for the amount to be spent on winter maintenance. The motioner responded that he meant "maintenance just as the article reads."

He specifically denied that he meant winter maintenance and yet the Board of Selectmen voted 2-1 to use the money that has already been spent to plow and sand Thyng's Mills Road because they believe he meant winter maintenance.

I repeatedly requested that the Town's attorney be consulted regarding this matter and even suggested that the town agree to provide plowing as an interim solution until such advice could be secured. However, the motion was made and passed without benefit of legal advice.

I hope that in the future people who make motions at Town Meeting will bear in mind that the Board of Selectmen may feel free to interpret what they believe you meant to say. A very dangerous precedence to set in my mind.

Brenda Charland