

## SELECTMEN'S MEETING MINUTES

April 13, 1999

**PRESENT:** Willis Lord, Dale Witman, Patti Berry, Millard Genthner, Elias Smith Brenda Huntress, Steve Foglio, Fred Fay, Pam L'Heureux, Jason L'Heureux, State Trooper Lt. Theodore Short.

Dale opened the meeting at 7:00 P.M. Brenda Charland is not in attendance at tonight's meeting.

### APPOINTMENTS

- 7:05 Dale opened the Public Hearing for the Peppercorn Restaurant Malt & Vinous License. Applicant Carmine DiSimone is not present.. There are no comments or objections from the public for renewing this license. Willis motioned to grant renewal of the liquor license. Dale seconded. Vote 2-0-0 in favor. Dale closed the Public Hearing at 7:15 and began Selectmen's Meeting.
- 7:15 State Trooper Lt. Theodore Short is present to introduce himself and discuss with the Selectmen any issues or concerns they may have. Dale stresses his concerns with speed on commuter routes. Trooper Short states he will begin targeting habitual roads and report back in a month or so. Dale and Willis note the Town's problem with dog control and habitual offenders and question requirements for the authority to summons. Trooper Short states there is a 100-hr. reserve course at the Maine Criminal Justice Academy coming up in June which after completion and being sworn in would give an individual authority to issue any type of summons and suggests that the Town contact the Biddeford ACO for guidance. Trooper Short notes that the Troop is working with a short staff and looks to working on an increase. He notes that in Waterboro alone there were a total of 735 calls for service in 1998. Mr. Short stresses the importance of 2-way communication between Selectmen and the Troop.
- 8:00 Roland Denby is present to discuss the problem with the dry hydrant on his property. Fred reports that the pole near the hydrant will be moved by CMP and a curb will be installed and there is some paving to be done. Fred will also take care of the fence damage. Steve Foglio states that after clearance from the DEP we will know if the pond can be cleaned and dredged. Steve will relay DEP's reply to Patti. The Board will then discuss and get back to Roland with verbiage for a final agreement regarding maintaining the hydrant.

Fred states that a local teenager has 200 hours of community work to complete and states that he has weekend work he can do for Fred beginning on the dump road. Fred states that to help him get started we should move this along as quickly as possible. Patti states that Mike Curly might need him as well. Patti will check on the Town's liability for this. Elias reports that there are also two juveniles who set a fire and will be owing a huge amount of community service whom we may want to consider

There is discussion about the memo to Selectmen regarding the procedure for purchase of a new fire truck which was approved at Town Meeting. Elias states he had three bids and took the lowest bid to put on the warrant for Town Meeting. Elias states that the Public Safety Committee was informed before Town Meeting and all of them were aware of this. He notes that all bids were comparable to Engine 3. At this time Elias expresses his frustration with the process he's had to go through and left the meeting. Patti has a meeting with Elias and the Public Safety Committee next week and Dale asks Patti to share all information which received from this meeting. Willis states he wants to compare quotes and Patti replies that we don't have specs to compare apples to apples.

### **NEW BUSINESS**

Willis motioned that we renew Dana Lewis as a member of the Zoning Board of Appeals. Dale seconded. Vote 2-0-0 in favor.

Millard requested to provide coverage at the transfer station from 4/12 to 6/30. Willis motioned we accept Millard's request and that he go full time from 4/12 to 6/30. Dale seconded. Vote 2-0-0 in favor.

Regarding Personnel Director duties relating to Selectmen as Appeals Board, Patti reports that there were prior suggested changes to our Personnel Policy by our attorneys because as it is written now, the Board are the decisions makers as well as the appeals board. This needs to be addressed as this is not legal. It is agreed that this discussion will be reserved for a full board.

There is discussion at this time regarding Southern Maine Realty Corp Notice of Foreclosure. Patti states this is pending Selectmen's vote and that our attorneys are researching. Willis motioned that we waive foreclosure until we find for certain that the property is clear of pollution. Dale seconded. Vote 2-0-0 in favor.

### **OLD BUSINESS**

Mike Curley's request for playground equipment is discussed and Patti reports that after researching, the Town Meeting article doesn't specify "ensuing year", and it deals with moneys already available, and so MMA states that the old playground equipment can be put out to bid now. Willis motions that the Board allow purchase of the equipment prior to July 1. Dale seconded. Vote 2-0-0 in favor.

There is discussion at this time regarding the mower for Parks & Rec. Patti reports that the intent of the article at Town Meeting was for money to be raised to purchase a mower and was changed on the Town Meeting floor illegally to lease it, and that the article states to raise and appropriate the money, implying after July 1. Patti states that MMA advises not to get the mower prior July 1. Discussion is tabled until there is a full board.

The results of MMA research regarding employees reimbursing the Town for monetary errors, were that MMA advises an employee is not committed to repay the town as they

are bonded for this and the procedure would be for the Town to submit a claim. Discussion is tabled until the next meeting.

Liability of the skateboarding issue is discussed and Patti states that MMA advised that the Town Hall needs a skateboard ordinance to legally enforce the signs. Dale states that this will have to be addressed at the next Special Town Meeting

Patti reports that May 18 will be Margaret's last day and states that ads are running to fill the Motor Vehicle Agent position. Dale instructs Patti to continue running ads in the Journal Tribune, Smart Shopper, and Portland Sunday Telegram and to make the time frame closer as well as stating that candidates must be certified. Patti states we should take advantage of the one month we have left to utilize Margaret's knowledge in full-time training for Brenda. Willis agrees that he feels Brenda should work with Margaret as much as possible within the month. Discussion is tabled for the full board. Dale motions to have Patti change the date of application deadline in the ads. Willis seconds. Vote 2-0-0.

Dale expresses concern regarding advertising expenses and the dwindling of funds and requests that this be reviewed at next week's meeting.

#### **SELECTMEN'S ASSISTANT REPORT**

Patti reports that the General Assistance files have been accessed in her absence and she will be locking the files in the future due to the need for confidentiality.

#### **OTHER**

Dale questioned Dave Benton on the status of the water line bids and David replies that this has not been awarded yet. Dave reports that the project is coming along good.

Pam L'Heureux reports that the E911 maps will be back in Augusta on Monday for finalization.

Dale motioned to approve the April 6 Selectmen's Minutes. Willis seconded. Vote 2-0-0 in favor.

Dale motioned to approve the renewal of the contract for typewriter maintenance. Willis seconded. Vote 2-0-0.

Dale motioned to sign the Homestead Exemption Municipal Reimbursement Claim Form. Willis seconded. Vote 2-0-0.

Dale questioned Millard regarding the cardboard situation at the dump. This will be addressed after further research by Patti

Discussion regarding the Lake Arrowhead letter and dump issue will be put on next week's agenda.

Millard reports that the burning pit is full of debris to be burned due to non-issuance of burn permits. Millard is directed to pile the extra debris at a distance of 150 feet outside of the pit.

9:30 PM - Willis motions to go into Executive Session for three hardship abatements. Dale seconds. Vote 2-0-0.

### **EXECUTIVE SESSION**

9:55 PM - Out of Executive Session

Willis made the motion to deny case 1. Dale seconded. Vote 2-0-0.

Willis made the motion to deny case 2. Dale seconded. Vote 2-0-0.

Willis made the motion to deny case 3 sending them a letter stating that before it gets to lien foreclosure, if the situation hasn't improved, to reapply. Dale seconded. Vote 2-0-0.

### **SIGNED**

The Board of Selectmen signed the Warrant for bills and payroll. They also signed the following:

1. Selectmen's Minutes 4/6
2. Charter Lines Bus Contract
3. Request for Abatement
4. Homestead Exemption Municipal Reimbursement Claim Form
5. Corrective Deed to the Estate of Roland Sanborn

### **ADJOURNMENT**

The Board of Selectmen adjourned at 10:00 PM

### **APPROVED**

Date: 4-20-99

Dale A. White

Willis A. Lord