

SELECTMEN'S MEETING MINUTES

April 18, 2000

PRESENT: Brenda Charland, Millard Genthner, Willis Lord, Pam Witman, Tim Neill, Mike McAlevey, Jason L'Heureux, Russ & Trina Waterman, Gus Cook, Denise Waterhouse, Dean & Carol Look, Rusty & Theresa Lowell, Dale Witman, Doug Foglio Sr., Paul Kussman, Lisa Morse & Brad Elliott.

Brenda opened meeting at 7:00 p.m. with a change in format. Opened up the meeting to community announcements. Felt that this would be a good way to get information out to the public so will begin all future meetings with the opportunity for people to let people know of any events upcoming.

Motion by Millard to accept the minutes of 4/11 as written. Seconded by Willis. Vote 3-0.

APPOINTMENTS

7:00 p.m. - Russ Waterman questioned why he and his wife should pay the towns attorney to review the new information that they have found. Lisa Morse explained that what they are requesting is for the town attorney to discuss with their attorney the findings. This has already been through two of the town's attorney's and they have both reached the same conclusion. The attorney's feel that this is part of the original sub-division and therefore are held to the covenants within the deeds of the sub-division. The Waterman's feel that they are separate from the sub-division and it's covenants. Lisa stated that their lot is listed on the original sub-division plan but was retained by the owner Mr. Brown and it does not have a lot number. Doug Foglio Sr. stated that the lot is in the sub-division with the deed covenants. This matter does not involve the Waterboro Zoning Ordinances but the problem is with the deed covenants. Also stated that the Planning Board did not act on this at their last meeting at the Waterman's request. Brenda suggested that the Waterman's follow the process all the way through. The Planning Board can not deviate from what's in the zoning but the Zoning Board of Appeals has a little more flexibility. Doug stated that even the ZBA can not give a variance on deed covenants. With regard to the zoning ordinances they could do what they want on their property, it is a permitted conditional use. Mrs. Waterman also stated she wished to complain about a Planning Board member. The Board of Selectmen will speak with the individual. Brenda also explained that the Planning Board is empowered with certain statutory duties and the Selectmen can not overturn their decisions.

NEW BUSINESS

1. Discussed the proposed contract with Portland Computer to take over the maintenance of the copies within Town Hall. As the Danka contract expires on June 15, 2000 will wait until then to enter into the new contract with Portland Computer. Will notify them of this immediately.
2. Discussed the resignation of Paul Verrell Sr., ACO/Constable. Motion by Willis to table until the Board has an opportunity to speak with him. Seconded by Millard. Vote 3-0.
Discussed the resignation of Patti Berry, Selectmen's Assistant. Motion by Willis to table until the Board has an opportunity to speak with her. Seconded by Brenda. Vote 3-0.
3. Discussed the recommendations of the town attorney regarding rezoning the town gravel pit. Will be joining the Planning Board for a workshop on Monday April 24th to review the recommendations. There will be two Public Hearings once they decide which recommendation to move forward with and the final vote will be at Special Town Meeting on June 24th.
4. Discussed the proposed testing of the lagoons by DEP and reviewed their report from testing done in 1997. Brenda stated that the Board will bring Wayne Paradis, DEP in to a Selectmen's meeting to explain the proposed project as there will be a cost to the town. Dale stated that the lagoons were originally built to DEP specifications and they were the dump sites for the patent leather mill. The DEP has taken responsibility to bear the cost of this whole project to completion and we should not pay for testing.

5. Reported that the town will be giving a lot on Federal Street to Habitat for Humanity. The lot is 150' on the road and 267' back. Habitat will move the house from Main Street to this property. Habitat will do all the deed work.
6. Discussed the bonds for the construction of the new Fire Station and the renovations to the Town Hall. Steve Kasprzak has recommended two \$500,000 bonds. Willis will speak with Dianne Holden and have her as Treasurer look into bonds. Suggests checking with Maine Bonding as well as other lending institutions.
7. Discussed the list of town property which has been reviewed and recommended to sell. Wish to place an article on the warrant for the Special Town Meeting to sell these lots to help defray the cost of building. Motion by Willis and seconded by Millard to place single house lots on the warrant. Vote 3-0.
8. Motion by Willis to appoint Millard as overseer of the Transfer Station to be in charge of personnel and oversee day to day operations. Seconded by Brenda. Vote 2-0-1.
9. Brenda reported that the Code Enforcement Office has sent out certified letters to all gravel pit owners and operators notifying them that they need to comply by May 10th on active status with regard to the new gravel extraction ordinance. Brenda suggested also putting in the Smart Shopper. Eric Herrle recommended also putting in the Journal Tribune.

OTHER

Discussed with Gus Cook the research he has done into the theft of road signs. Presented his report to the Board. Discussed the state laws regarding this issue. Gus reported that at this point approximately 10% of the signs have already been stolen. Suggested a public announcement that the town will be prosecuting and offering a reward package. Millard felt that a public notice is probably warranted. Brenda questioned the towns ability to offer a reward and Mike McAlevey stated that the signs are town property and therefore it is a criminal mischief misdemeanor to steal them. Suggested speaking with the District Attorney's Office and make sure the language in the public notice is sufficient for him to prosecute. Discussed ways of making it less likely they could be stolen. Fred will look into other ways of installing future signs. Motion to forward this to the District Attorney's Office and move forward with the process by Millard and seconded by Willis. Would also like to include restitution. Vote 3-0.

Eric Herrle discussed a potential accident problem at the intersection of 202/4, Old Alfred Road and the Justin Way sub-division. Suggested perhaps redirecting the access roads. Will refer to the Planning Board.

Raymond Payeur addressed the board regarding the gravel pit on Bennett Hill Road. Willis stated that the present owner will have to prove to the Code Enforcement Office that it is grandfathered according to the new gravel extraction ordinance. Carol Look questioned if he is being taxed as a gravel pit and Millard reported that he is. Brenda reported that this has been a gravel pit since 1954 and as of 5/10 like everyone in town, has to have declared an active status. Mr. Payeur stated that he is not part of the pits group and is only concerned with traffic on that road. Questioned if the trucks could get to 202 another way without using Bennett Hill Road. Discussed reclamation and speed signs on Bennett Hill Road. Discussed the possibility of asking the police to set up there periodically.

Mike McAlevey discussed the Lake Arrowhead Community legislation and reported that 90 days after adjournment the bill will take effect. Reported that this time the intent has been made very clear and was read into the record. Willis thanked Mike for the wonderful job he did during the debate. Brenda stated that the town has been working with the association in good faith and will continue to do so. Carol Look suggested that the town send letters to those who worked on behalf of Waterboro and Limerick and thank them for all their help. Board agreed.

Millard reminded that the Transfer Station will be closed on Easter Sunday.

SIGNED

The Board of Selectmen signed the Warrant for bills and payroll as well as:

1. Minutes of 4/11.
2. Unlicensed Dog Warrant
3. Kasprzak Transfer Tax form
4. Appointment papers
5. Lien Release
6. Agreement with Massabesic Softball Team

ADJOURNMENT

Motion by Willis and seconded by Millard to adjourn at 9:05 p.m. Vote 3-0.

APPROVED

Date: 4/25/00

Brenda Chauland

Willis A. Lord

Millard Bentner