

## SELECTMEN'S MEETING MINUTES

November 16, 2004

**ATTENDING:** Douglas Foglio, Sr., Robert Fay, David Chauvette, Nancy Brandt, Pam Witman, Dean Waterhouse, Don Scouler, Donna and John Mahoney, Pam L'Heureux, Jason L'Heureux, Don Boilard, Willis Lord, Bob Gobeil, Don Holden, Darlene Montgomery, Pam Pierce, Kurt Clason, Roger and Florence Moreau, Dale Witman, Beth Cyr, Russell Wright, Dave Benton, Sue Dunlap, Patti Berry, Mike DeAnglis, Diane Herrle Mike Jariz and Jon Gale.

Selectman Foglio called the meeting to order at 7:00 p.m. and opened the Public Hearing on the Engine Brake Ordinance Revision. Selectman Foglio read the revised ordinance. Selectman Chauvette stated that the ordinance can be enforced by the Contract Deputy but not by the State Police or the Sheriff's Dept. and felt it would cost more for the attorney to handle these cases than the \$100 fine. Diane Herrle stated that her husband spoke with the town attorney prior to writing the original and at that time was told it is enforceable. Also noted that it has made a difference on this end of the Townhouse Road having those signs up. Selectman Foglio noted that this amendment only relocates the signs. Mrs. Herrle stated that she does not want the sign by the town hall moved just install additional signs. Pam Pierce requested the signs to be larger. Hearing closed at 7:15 p.m.

Selectman Foglio opened the Public Hearing on controlling the water level on Ossipee Lake at 7:15 p.m. Stated that they are proposing to change the date from October 1<sup>st</sup> to October 15<sup>th</sup> to open the gate and begin lowering the level. Also stated that they will need to take rainfall into consideration. Don Holden, who maintains the dam stated that he can raise and lower the lake with no difficulty so it should not be an issue. Selectman Foglio suggested writing a new ordinance rather than try to amend the current one. Willis stated that they also need to include that every 5 years they will lower it additional to allow for shoreline work. Pam L'Heureux questioned where this request came from because the lake association has not made a decision yet. Don Holden stated that at their last meeting they did discuss changing the date to October 15<sup>th</sup> but was planning to wait until the annual meeting before bringing it forward to the Selectmen. Explained what he does to maintain the water level by regulating the dam. Takes about a month to get the level down and suggested tabling this decision until spring. Russell Wright questioned why they lower it to 4' 6" because he loses his water. Dale Witman complimented Don Holden on his job of regulating the dam and maintaining the water level. Stated that those two extra weeks would mean a lot to a lot of people. By opening the gates on October 1<sup>st</sup> people miss the Columbus Day holiday and by changing to the 15<sup>th</sup> would gain two additional weekends. Dale concluded by requesting that they proceed with the changes. Selectman Foglio questioned if the wording could be "no later than October 15<sup>th</sup>" and would be worked out between the Selectmen and the dam keeper. Hearing closed at 7:40 p.m.

Selectman Foglio opened the Public Hearing regarding the Subdivision Ordinance clarification at 7:40 p.m. Explained that this is a specification for something already in the ordinance. Motion by Selectman Chauvette and seconded by Selectman Fay to waive the reading of the specification. Sue Dunlap questioned if the Planning Board should put something in the ordinance point to this or if this will go into the ordinance. Selectman Foglio stated that this will be incorporated into the ordinance. Discussed who would be doing the inspections and who will pay for them. Dale Witman stated that if this is incorporated into the ordinance then the developer therefore becomes responsible to bear the cost. Selectman Foglio stated that it would still go to the attorney only to guarantee the bank is licensed to do business in the State of Maine. Patti Berry explained that in the subdivision regulations. It requires an inspection by an engineer and a stamped plan. Hearing closed at 8 p.m.

Motion by Selectman Fay and seconded by Selectman Chauvette to go into Executive Session per M.R.S.A. Title 1 §405 Executive Sessions 6(1) Unallowable Disclosure at 8:00 p.m. Voted. Passed.

Motion by Selectman Fay and seconded by Selectman Chauvette to come out of Executive Session at 8:34 p.m. Voted. Passed. Selectman Foglio explained that when they did the assessment the County Tax was figured in twice so they have \$268,571 too much from taxation. The Board of Selectmen accept full responsibility with the exception of Selectman Chauvette as he was not yet on the board. They will rebate this to the taxpayers in some fashion but have yet to find out how this can be accomplished.

Motion by Selectman Foglio to rebate to the taxpayers of Waterboro \$268,571 by some process not yet known. Selectman Fay stated that he and Doug take full responsibility for the Assessor putting the County Tax in twice. Motion seconded by Selectman Fay. Voted. Passed.

#### **NEW BUSINESS:**

1. Motion by Selectman Fay and seconded by Selectman Foglio to sign the Eagles Club application for game of chance. Voted. Passed.
2. Motion by Selectman Fay and seconded by Selectman Chauvette to sign the application for the Lion's Club Bingo. Voted. Passed.
3. Motion by Selectman Fay and seconded by Selectman Chauvette to approve the Revised Engine Brake Ordinance. Voted. Passed.

#### **OTHER**

1. Nancy Brandt stated that they need to begin working on the budget so they can get it to the Finance Committee by December 23<sup>rd</sup>. Suggested the week of November 20<sup>th</sup> as there will not be a Selectmen's Meeting that week.
2. Selectman Fay read the reminders of upcoming meetings.

#### **ADJOURNMENT**

Motion by Selectman Fay and seconded by Selectman Chauvette to adjourn at 8:50 p.m. Voted. Passed.

**SIGNED:**

Warrants for bills and payroll

1. Lion's Club Bingo renewal application
2. Eagles Club game of chance renewal application

**APPROVED:**

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