

## SELECTMEN'S MEETING MINUTES

August 22, 2006

**ATTENDING:** Nancy Brandt, Cindy Moore, Jon Gale, Evan Grover, Robert Fay, Dwayne Woodsome, Wendy Carter, Jonathan Raymond, Fred Fay, Willis Lord, Tammy Wells, Deborah Sullivan, Ivy Finglas, George Benner, Sally Tardiff, Alan Dyer, Debra Dyer, Denise Hanson, William Hanson, Paul Kussmann, Jane Harriman, Paula Jones, Mike Polakewich, Kevin Sullivan, Kathleen Sullivan, Elaine Marino, Rick Gould, Lori Gould, Bruce Lambert, Kirsten Pacyna-Lambert, Janice Young, Scott Young, John Mahoney, Donna Mahoney, Heather Ricker, Elaine Adriance, Carlene Laverniere, Elaine Taylor, Anthony Taylor, Marion Gregoire, Peggy Dunlap, Kelly Woodworth, Sharon Contois, Karen Banks, Blanche Sullivan, David Watson, Andrew Prezkopowski, Karen Prezkopowski, Ralph Bowley, Barbara Bowley, Sharon Abbott, Craig Gardner, Clint Andrews, Frank Allen, Diane Herrle, Tina Cote

Selectman Grover opened this evening's meeting at 7:00 with a Pledge to the Flag. The Public Hearing for the renewal of the Liquor License for Sullie's Pub and Grill followed. Mr. Grover read the state law pertaining to the approval or rejection of the liquor license. Reading from MRSA 2B of Title 28A §653. Mr. Grover allowed those in attendance to speak. At 8:00 Selectman Grover closed the Public Hearing. Mr. Grover explained that a Public Hearing is often advertised for Liquor Licenses Renewals. Selectman Fay indicated that his sympathies are with the residents and that he requested a state hearing on this issue. Chairman Grover indicated that a vote would be taken tonight. If the permit is approved by the Selectmen it would be sent on for state approval. If the renewal was denied the findings for denial and for support would be forwarded to the state. The state will hold another public hearing and make the final determination. Mr. Fay indicated his support of the state decision. A motion was made by Mr. Gale to grant the liquor License renewal to Sullie's Bar and Grill. This was seconded by Mr. Woodsome resulting in a vote of 2-3-0. Selectman Moore made a motion to allow the state to deal with the situation, under sections 28-A M.R.S.A. §635 (2) (D) 2 © which state: Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of the persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner. Also Section (D) that a license may be denied based upon: Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises. Reference to complaints from the neighbors to disturbances of the peace, and also personal property that has been damaged by the people that patronize the premises. From the public testimony the Board felt that there is enough reason to bring it to the state for the state to hold a public hearing. This motion was seconded by Mr. Fay with a resulting vote of

3-2-0.

The committee went into recess for 5 minutes.

The Selectmen's meeting reconvened at 8:40p.m.

### **ADMINISTRATOR'S REPORT**

1. A representative of the RHR Smith auditing firm has been present this week establishing new charter of accounts. Individual journal entries are required to transfer monies to the new accounts. Old accounts cannot be deleted until July 1<sup>st</sup> of 2007 because activity in those accounts has taken place this year.
2. The Auditor will be addressing department heads at a mandatory meeting on budgets and Capital Plans
3. There will not be a Board of Selectmen meeting next week (5<sup>th</sup> Tuesday of August). The Selectmen will meet, however, to sign the warrant articles/payroll and an executive session has been scheduled for a personnel issue.

### **NEW BUSINESS**

1. Closing the Transfer Station on Labor Day 2006-- Clint Andrews, Manager of the Transfer Station indicated that Labor Day is not usually a busy business day. Selectman Fay made a motion to close the Transfer Station on Labor Day (September 4, 2006). This motion was seconded by Mrs. Moore and resulted in a 5-0-0 vote. Mr. Woodsome suggested that advertisements be placed as soon as possible indicating the date of closure.

### **OLD BUSINESS**

1. Sex Offender Ordinance-- Mr. Fay indicated that he was prepared to vote on this issue this evening. This feeling was reiterated by Selectman Moore. Mrs. Brandt indicated that this would be an Emergency Ordinance until it is voted upon or can be on the ballot in November. Selectman Gale made a motion to accept the ordinance incorporating the suggestions offered by the town's legal advisor. The motion was amended to indicate that this is an emergency ordinance. This was seconded by Mrs. Moore. A 5-0-0 vote followed. Mr. Woodsome mentioned that a 2500 foot boundary may be too difficult to impose and that a 1000 or 1500 foot boundary may be more workable. He further indicated that he would like to prepare a map identifying the schools, churches, day care facilities and private schools in the town to see where the possible boundaries would fall. Mr. Grover requested a workshop to be scheduled as soon as possible regarding this issue. This ordinance should encompass the sidewalk area along West Road where students walk to the Jr. and Sr. High Schools. Chairman Grover indicated that this ordinance applies to any registered offenders who are not already living in the town at the time of passage of this ordinance. If a previously identified sexual offender who has resided in Waterboro takes residence in another location, including a period of incarceration, and returns to a Waterboro residence will be limited. A workshop will be held on August 29<sup>th</sup> with a Public Hearing set for September 12<sup>th</sup> at 7:00. This Public Hearing will be televised
2. Transfer Station /Hollis Transfer Station-- Mr. Andrews indicated that the Transfer Station Committee in the Town of Hollis is interested in discussing the terms of returning

to Waterboro Transfer Station. Selectman Fay made a motion to allow an exchange of ideas between the Waterboro and Hollis Transfer Station Committees with the objective of returning to Waterboro facility. This was seconded by Mr. Gale with a resulting vote of 5-0-0.

3. A workshop to review the Purchase Order/Payment Ordinance will be reviewed at a workshop scheduled for August 28<sup>th</sup> following the discussion of the Emergency Sex Offender Ordinance.

4. PSAP--Mr. Grover has received a letter from Arundel inviting Waterboro to join their group. Waterboro would be added to the existing group of towns in northern York County of Sanford, Lebanon and Arundel. The financial burden would be divided among this group of towns. Mr. Gale suggested that grant opportunities be investigated which would encourage towns to share resources. Evan Grover will contact Maurice Ouellette regarding the possibility of grant funds.

5. Crushing proposal-- Mr. Woodsome indicated that the proposal received from Foglio Inc. was an additional \$.35 for a fuel surcharge. This seems reasonable and thus made the motion to accept the crushing proposal from Foglio Inc. for the 2006-2007 year. This was seconded by Mr. Fay and resulted in a 5-0-0 vote.

Mrs. Moore made a motion to extend the Selectmen's meeting an additional 20 minutes. This was seconded by Mr. Gale and was approved unanimously.

## **OTHER**

1. Transfer Station-- Mr. Andrews explained that prices had been received for a compactor. Several options are available including a new machine and a rebuilt compactor. Repairing our current machine is not an option as parts are no longer available and the fact that it does not meet OSHA standards. The current compactor has no value at 38 years old. The cost of replacing the current compactor will come from the Capital Expense account. An estimator will be at the Transfer Station on Friday to discuss the issue with Nancy Brandt, Clint Andrews. The bids are out regarding the painting of the Quonset hut.

2. Finance Committee--No discussion

3. Mr. Woodsome made a motion to sign the bills and payroll. This was seconded by Mrs. Moore with a unanimous vote.

4. Mr. Woodsome made a motion to sign the minutes of August 15<sup>th</sup>. This was seconded by Mrs. Moore and resulted in a unanimous vote.

5. Mr. Gale made a motion to accept the goals previously addressed at a Selectmen's workshop and to post them on the town website and in the Town Hall. As this was not included on this week's agenda, the motion was modified to be put on the agenda for next Selectmen's meeting. This was seconded by Mrs. Moore. The vote was 5-0-0

6. Mr. Woodsome gave an update of the Selectmen's tour of Ossipee Lake. Forrest Bell of the Department of Environmental Protection indicated that there is limited erosion and the effects are not significant. Mr. Woodsome further noted that there is grant monies available to assist with the runoff of water from camp roads going into the lake. Landowners are primarily responsible for these issues. He suggested that the CEO can

advise on these procedures. Mr. Bell will send a letter to the town regarding his observations.

7. Dwayne reported that the land Auction had one property offered. This Lake Arrowhead property sold for \$4,200.00. The other two properties were taken off the board.

Reminders were read by Selectman Woodsome.

Mr. Fay said the Transfer Station Committee will meet with Sebago Technics on Thursday to discuss the drainage system at the Transfer Station.

Mr. Woodsome made a motion to go into Executive Session for a decision on a poverty abatement. This was seconded by Selectman Fay and was passed by a 5-0-0 vote.

### **.ADJOURNMENT**

Following a vote by Mr. Woodsome to exit the Executive Session he further made motion to adjourn the Selectmen's meeting which was seconded by Mr. Gale with a 5-0-0 vote.

### **SIGNED:**

Warrants for bills and payroll

1. Minutes of 8-15-06
2. Municipal Lease and Option Agreement
3. Crushing Proposal.