

## SELECTMEN'S MEETING

March 3, 2009

PRESENT: TammyJo Girard, Evan Grover, Dennis Abbott, Cindy Moore, Jon Gale, Nancy Brandt, Pam Witman, David Lowe, Raymond Sylvestre, Frank Allen, Teresa Lowell, Leo & Sandy Binette, Doug Foglio, Tom Ursia, and residents of Laughing Loon Lane area.

Selectman Abbott opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

### APPOINTMENTS

6:00 – Selectman Girard stated that she has spoken with the Town Attorney and has a conflict of interest so will not participate in this discussion. Mr. Sylvestre stated that the town can give him a license or he can go to the state but it will take a long time and cost a lot of money. State law dictates how he operates. Stated that he doesn't do jewelry or guns right now. He does have to report to the state. Stated that without this license he will not be able to lend money which is 40-50% of the business. Selectman Gale stated that before granting a license they need some sort of procedure. Selectman Abbott stated that they do have more information from the Bureau of Consumer Protection which says to work with the municipality. Selectman Gale felt they need something on the books very specific on who we do or do not grant these licenses to. Selectman Grover stated that the Bureau of Consumer Protection can provide a sample ordinance and license application. Felt that Maine Municipal probably has samples also. Discussed finding ordinances from other towns. Motion by Selectman Gale and seconded by Selectman Grover to add "Discuss local pawn brokers license/ordinance under New Business Item #5. Vote 4-0-0.

Opened the Public Hearing on the Zoning Change Request. Selectman Abbott explained the process. Sandy Binette explained that they are looking to define the village zone by moving the boundary to the lake with frontage on Route 5. They are asking for Waterboro Center to be zoned correctly. Based on the Planning Board hearing they have recommended that some of those closer to the lake be removed however, based on Shoreland Zoning there is not much that can be done with those lots as they have to go through DEP and require a 250' setback. Asked the board that they consider the land for what it is. Feel that their function as Selectmen is to foster the successful development of businesses and residential communities. Encouraged the Selectmen to make their decision based on the best use of the land. Teresa explained that the Planning Board took density into consideration when making their decision and recommendation. Several neighbors spoke requesting that Lot 31 not be included. They felt it would create a tremendous amount of traffic on Laughing Loon Lane which is a very narrow, private dirt road. Selectman Abbott stated that you could restrict access to that lot except from Route 5 and Doug stated that you could also restrict development to the first 400' and not the back portion of the lot. Discussed putting Lot 5 back in and removing 31 from the Planning Boards recommendation. Selectman Moore stated that they do not have a problem putting Lot 5 back in but do not want 31 changed to Village Zone. Selectman Grover suggested voting on this tonight while the out of town property owners are present and not hold over for Town Meeting where they would not be allowed to speak. Selectman Abbott noted that a number of letters had been received from neighbors in the area and they will all be included in the record. Motion by Selectman Gale and seconded by Selectman Moore to close the Public Hearing at 8:05 p.m.

### TOWN ADMINISTRATOR'S REPORT

1. Reported she worked with Matt and completed a letter to Sanford on dispatch services and they completed the timeline.
2. Reported that she is working on budgets.

## **SELECTMEN'S REPORT**

1. Selectman Gale reported that on Sunday they started single stream and he and Selectman Grover were at the Transfer Station. Did not hear anyone talk against it and got a lot of positive feedback. Felt the only frustration was those who had already sorted. Selectman Grover suggested running the video put out by EcoMaine explaining the process on our web-site. They didn't think that traffic would be a huge issue.

## **NEW BUSINESS**

1. Motion by Selectman Moore and seconded by Selectman Grover to approve signing the abatements. Did have questions about one of the abatements so brought in the Assessor who stated that the abatement 09-36 did not have assets here after 2003 but still owe for 02/03 so are abating for those years they were not in town. Vote 5-0-0.
2. It was reported that we have done all we can regarding dispatch at this point and are now waiting to hear back from Sanford with a proposal. Stated that the key date is April 1<sup>st</sup> when we have to notify PUC. Matt has requested to meet with the Selectmen on March 24<sup>th</sup> so will add to that agenda.
3. Reviewed the by-laws and agreed that no changes needed to be made based on the vote last week to change the meeting time.
4. Motion by Selectman Gale and seconded by Selectman Grover to approve the change for Map 28 Lots 3, 4, 5, 33, 33A, 35, 38 & 39. Selectman Grover recommended voting on this tonight instead of holding over for Town Meeting while the out of town property owners are present because they would not be able to speak at town meeting. Vote 5-0-0. Those not included in the change are Map 28 Lots 6, 9, 10, 11, 17A & 31
5. Selectman Gale felt they should look at a pawnbroker's ordinance then hold a public hearing then decide if we want such an ordinance. Motion by Selectman Grover and seconded by Selectman Moore to start to do the research and have Nancy get sample ordinances. Would like this back on next weeks agenda to schedule the public hearing. Vote 5-0-0.

## **OLD BUSINESS**

1. Selectman Girard explained that there are three (3) different types of economic development commissions. One is private and based on paid memberships, then there are regional commissions which are primarily up north, and then there are local commissions which is what we are looking at. Stated that in doing her research most have 9 to 11 members and all included a banker and a realtor and a lot have an attorney and also a Selectman or Council Member. She feels that what was brought forth last week is very appropriate for this community. Selectman Moore expressed concern that you have to both live and work in town and this could cause a problem finding a person to serve. If they get transferred to another branch would then be off the committee. Selectman Girard stated that the Charter requires that they be a Waterboro resident but also for them to know what's going on within the community they need to live here. Selectman Gale expressed concern that if all positions aren't filled then the committee would be inactive. Selectman Girard stated that as long as they have a quorum and Selectman Gale was fine with that as long as if you can't fill one of the positions it doesn't make the committee inactive. Selectman Abbott stated that the wording is "shall include" and Selectman Girard suggested that they change the word "shall" to "may" which would allow for more flexibility and also that since by-laws need to be reviewed annually per the Charter that they get the committee going with what we have and in a year can review and make changes if necessary. Selectman Moore had a problem with a Selectman being an actual voting members of a committee and Selectman Abbott stated that he has a problem with both the Planner and the board member being voters of the committee which would leave only five (5) members of the community to vote on issues and would prefer saying something like "the membership shall represent a cross section of the local interest groups such as

the banking industry, realty, existing businesses, start up business”. That would give you more flexibility. Majority agreed that the Planner should be a non-voting liaison and the Selectman representative also as a non-voting liaison. Selectman Grover thought they should also allow for a retired professional as they can have a lot to offer. Tom felt that this is the perfect time to form an economic development committee and will give 100% support to this effort. Thinks there are solutions to all the issues they are raising and would be happy as the Planner to work as a consultant on this committee but believes that this composition was proposed because it is a good cross section. Most towns to have their Town Planner on these committees ex-officio but should have a representative of the board even if they too are ex-officio. Suspended the discussion so that they can open the Public Hearing scheduled for 7:00 but will come back to it. Resumed discussion at 8:05 p.m. Selectman Girard suggested that the Planner and Selectman be ex-officio members and fill those two positions with citizens at large and change to “shall represent a cross-section of”. Motion by Selectman Gale and seconded by Selectman Moore to accept with changes. Vote 5-0-0.

**OTHER**

1. Motion by Selectman Grover and seconded by Selectman Girard to sign warrants for bills & payroll. Vote 5-0-0.
2. Motion by Selectman Girard and seconded by Selectman Grover to accept the minutes of 2/24/09 as written. Vote 5-0-0.
3. Selectman Abbott read the reminders

**DISCUSSION OF AGENDA ITEMS**

1. Sample pawn brokers ordinances
2. Discuss/vote on Public Hearing for pawn brokers ordinance
3. Update on the Old Alfred Road
4. Executive Session – Personnel Issue

**ADJOURNMENT**

Motion by Selectman Moore and seconded by Selectman Grover to adjourn at 8:25 p.m. Vote 5-0-0.

**SIGNED:**

1. Warrants for bills & payroll
2. Minutes of 2/24/09
3. Abatements

**APPROVED:**

Date: \_\_\_\_\_

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