

**SELECTMEN'S MEETING MINUTES  
SEPTEMBER 18, 2012**

**PRESENT:** Chairman Abbott, Selectmen: Gale, Girard, Littlefield & Woodsome, Nancy Brandt-Town Administrator, Doug Foglio, Sr.-Road Commissioner, York County Sheriff's Deputy Shawn Sanborn, Dianne Holden, Donald Holden, Paul Clausson, Priscilla Rudder, David Lowe-IT Manager and two others. Lisa Faith and Mary Ross arrived during the public hearing.

Chairman Abbott opened the meeting with the Pledge of Allegiance at 6:02 pm.

**ANNOUNCEMENTS:** Chairman Abbott gave a reminder that property tax bills have been mailed out and the first half payment is due October 5<sup>th</sup>. Chairman Abbott also noted that the level of the lake has started to come down and the public boat launch will soon be unusable, if it is not already.

**PUBLIC HEARING:** Chairman Abbott opened the public hearing to discuss concerns with fireworks. Chairman Abbott explained that there has been some feedback relative to the use of fireworks now that the new State law has gone into effect. A survey was placed on the town's website recently and approximately 80 people have responded. Chairman Abbott said that the Fire Chief reported that there have been no incidents with fireworks. York County Sheriff's Deputy Shawn Sanborn reported that there are complaints every day to the Sheriff's Department. Dep. Sanborn said the law allows for fireworks to be used until 10 pm and many people go to bed before 10 pm and do not like it. He advised that if people have an issue with a neighbor about the use of fireworks to try talking with them about it. Dep. Sanborn said that the Sheriff's Department does not have time to be fireworks hunters. Dep. Sanborn said that perhaps fireworks complaints could be handled as disorderly conduct or noise complaints. Selectman Gale asked if there were an ordinance to limit fireworks, would it help. Dep. Sanborn said he usually goes by the State Statutes because the District Attorney will prosecute these. Otherwise, there would have to be a municipal prosecutor. Dep. Sanborn would have to take a course to be able to do this. Chairman Abbott clarified that the town does not have a fireworks ordinance. Dep. Sanborn said he does not see an easy solution, even with an ordinance. Paul Kussman of Lake Arrowhead stated that he enjoys using fireworks and spoke in favor of allowing fireworks. Selectman Girard said that the updated survey has 99 respondents with 37 for fireworks and 39 opposed. Selectman Girard said she understands why some people are having trouble with this. She does not think they have seen enough complaints to do anything differently. If an ordinance is passed, this would shift the responsibility of the Contract Deputy and she would rather have the Deputy looking for drug violations, burglaries, domestic assaults, etc. She suggested that we urge the community to be more responsible and considerate of their neighbors. Dianne Holden asked how many complaints there have been and Chairman Abbott said each of the Selectmen have had 2-3 and he is surprised to hear Dep. Sanborn report that there are daily complaints. Doug Foglio wondered if there will be increased usage in the future or if this is a bump in the road that will even out. Selectman Girard said if usage does increase, we could always look at this again. Chairman Abbott said that if people have respect for one another, it will hopefully not get any worse and will get better as time goes on. Selectman Girard asked Dep. Sanborn if there is anything in the law that addresses debris or property damage for neighbors. Dep. Sanborn said he thinks this would be a civil matter.

Chairman Abbott stated that the law is specific that you can use them on your property but if they have broached the property line he feels this would be a violation. Dep. Sanborn said he would have to check with the District Attorney's office. Chairman Abbott closed the public hearing and thanked the participants.

**APPOINTMENTS:** None

**HEARING OF DELEGATION:** None

**CORRESPONDENCE:** Chairman Abbott reviewed the following correspondence:

1. Treasurer's Weekly Financial Reports
2. Rep. Libby's newsletters
3. Information from York County Commissioner Cabral re: prescription discount cards
4. Letter from Maine Department of Transportation (MDOT) regarding Old Alfred Road.
5. Letter from Road Commissioner, Doug Foglio, Sr., to MDOT regarding issues with their work on Old Alfred Road
6. Notification from Maine Municipal Association Risk Management Services re: dividend payments
7. List of current vacancies on town boards and committees
8. Fireworks website survey results as of 9/14/12
9. Planning Board 9/19/12 agenda
10. Letter from York County Manager re: cancelation of September 19, 2012 caucus

**REPORTS & STAFF INITIATIVES:**

**1. Contract Deputy Shawn Sanborn** (This report was given immediately following the public hearing): Deputy Sanborn said that it was a typical summer and reported on the following:

- A typical increase in call volume due to summer residents/tourists and fireworks complaints. He does think there will be a decrease in fireworks use now that the seasonal people are gone.
- Warning to student drivers that if he stops you for speeding/squealing your tires, there will be no breaks. Dep. Sanborn said he immediately calls the parents. He urged teenagers to drive as if they are taking their driver's license exam.
- Illegal marijuana cultivation is about the same as last summer. Outdoor grows were found on Chadbourne Ridge, Roberts Ridge and Bennett Hill Road. Indoor grows were found on May St., Beaver Dam Rd., Lynwood Dr., & Beachwood Ave.
- Pill addiction, oxycodone/oxycotin/suboxone is a strong culture here with illegal dealing/sales.
- Underage drinking parties were not at the usual spots this summer. Dep. Sanborn worked with the Warden's service on deterring these. He heard that partying was occurring at Thyngs Mills dam. He heard there were MMA (mixed martial arts) fights taking place and he has spoken with a young man about these. The young man denied being involved. He believes the conservation people have put up a gate at Thyngs Mills dam so they can't get in anymore.
- They conducted an alcohol compliance detail with ATVs and in an unmarked car with a person under 21 to check a couple of businesses in town. The businesses did a good job and did not sell alcohol to this person.

- Reminder not to pass school buses (with flashing lights). The bus drivers will record violator's license plate numbers and if Dep. Sanborn sees this, he will issue a summons and possibly have the car towed.
- Please don't allow kids to loiter at businesses after school. Dep. Sanborn has received a lot of complaints about this. He feels a lot of these issues are due to poor parenting with not knowing what the kids are doing.
- Parsonsfield has signed on for a contract deputy. Acton and Shapleigh were going to vote this week to have a combined contract deputy but he does not know the outcome of the vote yet.

Selectman Gale asked about Deering Ridge speeding and Deputy Sanborn said he is waiting for signs. Ms. Brandt said the flags have been received. Deputy Sanborn said he wants the signs erected first and an advertisement in the local paper.

**2. Finance Committee:** None

**3. RSU #57 School Board:** School Board member Mary Ross stated she serves on the School Board's Finance and Negotiations Committees. The Negotiations Committee has met once so far and they will be negotiating with the MEA this year. The Finance Committee has just begun their work and they are reviewing expenditures. They have been discussing the water issue. The water at the Elementary School has been coming from the Middle School through the Waterboro Water District. The DEP took more water tests today and they are awaiting the results. They will begin the budget process in the next month or so. Chairman Abbott asked if the Selectmen could be provided with the initial budget numbers for information purposes. Ms. Ross said she will ask the Business Manager to do this. School Board member Lisa Faith said there was a change with School Board Committees. They have added a technology component to the Public Relations Committee. They are looking at changing the names of the elementary schools in the district to reflect the Massabesic name and not the individual town names. Transportation is being charged with redistricting in an effort to create shorter bus runs and alleviate overcrowding. The School Board meetings will again move around to give administrator's in each community a chance to report to their town boards and give the board members a chance to visit the schools in the district. They met in Shapleigh for their last meeting. For School Board meeting information, go to the district website at [www.rsu57.org](http://www.rsu57.org) and scroll down to the bottom of the page and click on School Board. Waterboro Elementary enrollment is 547. There is a 20-1 student to teacher ratio. The building size is adequate but they feel the library and cafeteria space is undersized. Total staff is 75 people. The Vice Principal position was reinstated here. Their PTC is very active and they have a campaign to improve the playground. Massabesic Middle School has 783 students with 39 students from Newfield, 95 students from Shapleigh, 95 students from Alfred, 138 students from Lyman, 110 students from Limerick and 306 students from Waterboro. Staff total is 104. 3 teachers have volunteered to start an after school Geography Club after school and 3 teachers have volunteered to start a Civil Rights Team. The sixth grade science teachers are attending Vital Signs training and will join the seventh grade teachers who have already been trained. This is a collaborative program with Stanford University. Students use the outdoor environment to study and track invasive plant and animal species and collaborate with scientists around the world through technology. They are beginning the fourth year of a partnership with UNE. UNE provides graduate assistance to 8<sup>th</sup> grade science projects with access to UNE's resources. Last year Massabesic Middle School was awarded a \$100,000 grant in the zero waste challenge for their cafeteria

recycling program and they will work with a local farm this year to take the waste to turn it into compost. Massabesic High School had a 2012 graduation class of 234. Total scholarships earned by the graduating class totaled 98 at \$81,229 and she reviewed some of the college's students will attend. Total volunteer hours completed by the class of 2012 were 11,192.5 hours. Students completed 143 college courses during their Junior and Senior year. Current enrollment at Massabesic High School is 1,061 students and this can change on a daily basis. They have 160 staff members. There are 21 athletic teams between the High School and the Middle School. There are 14 activity groups at the High School such as the Math Team, Student Council, Odyssey of the Mind, etc. The Transportation Department has 53 buses. The oldest bus is from 1995 with 254,000 miles on it. There are 40 contracted drivers, 5 van drivers and 12 spare drivers. Last school year the buses drove 956,188 miles and the vans drove 80,409 miles. A new bus costs about \$84,000 and a handicap bus is \$88,000. The district uses 7,000 gallons of fuel every 10 days for the buses. Ms. Faith expressed appreciation on behalf of Project Graduation to the businesses in town for their unbelievable support. This was the first year that Project Graduation was run by parents and Ms. Faith gave them kudos for their work. Ms. Faith shared a Massabesic High School Work Habits Rubric with the Selectmen. This will not affect this year's graduating student transcripts or eligibility in extra-curricular activities. This will give a broader picture of student work habits and grades. It will be tweaked after the second trimester and will be used next year as part of the student transcripts. Selectman Gale remarked that the resistance they get over changing the school names may not be worth it. Ms. Faith said this is something that they will determine. Chairman Abbott asked if what was learned at the Middle School with the zero waste program has been shared with other schools in the district. The Town is still involved with having recyclables picked up at the school and this is something that may have to go back to the school. Ms. Ross said this is something that the Finance Committee is considering and one challenge is finding a teacher at each school to be in charge of the project. Chairman Abbott suggested this should come from the top down. Chairman Abbott asked if teacher performance is measured in a matrix. Ms. Faith said not yet and the State has mandated that by the 2015/2016 school year every district must have a way of measuring teacher and principal performance. This will be set up as we go forward. Chairman Littlefield asked if the total enrollment figure is higher than last year and Ms. Faith said she does not know but will find out and get back to him. They are seeing larger classes coming into the elementary schools. Selectman Woodsome commented that the Superintendent is starting his second year and asked what are his strengths and what do they see for differences in his way of operating. Ms. Faith said one of his greatest strengths is that he is well versed in the performance based arena. Selectman Littlefield asked if he is still working as Superintendent in another district and Ms. Faith said she was not sure. The School Board is required to notify the State by December of their intent concerning the Superintendent (whether he stays on or not). Ms. Ross added that communication is much better between the School Board and the Superintendent. Ms. Faith gave each of the Selectmen a travel mug compliments of Project Graduation. The Board thanked the School Board members for attending.

**4. Road Commissioner:** Doug Foglio, Sr. reported that the State put some slop down on the sides of Old Alfred Rd. today and after the first 5 minutes of rain, a bus pulled off the shoulder and the material was very soft and went "fffft". It does not appear they used a high quality material. There are issues with the shoulders of the road. Mr. Foglio said the

power lines on New Dam Rd. have been changed over. Thursday morning OTT will be there to change the telephone line. After this we need Time Warner to come and OTT has contacted them to see if they can work together. Mr. Foglio contacted Dayton Sand and they will come back to grind the small section. The guardrails for Mast Camp Rd. and Dirigo Drive have been installed. Mr. Foglio said that the lake level is dropping. There are 5 planks still under water. McLucas Rd. has had new culverts put in on some driveways that never had a culvert. One property owner with two driveways and has agreed to pay for the culvert for the second driveway. The hill has been cut down substantially, a good part of the tree work will be completed today, the ditching will be finished within the next couple of days and then they will be ready to skin it with gravel and be ready for pavement. Selectman Littlefield made arrangements with the campground to allow traffic to drive through the campground while they are doing the culvert crossings across the road. Mr. Foglio showed a sketch of the dam with a proposal to add a 24 inch hole to allow more water to flow out at a far greater rate. The engineers that designed the dam said they believe the integrity of the dam will be the same with the proposed hole. Mr. Foglio asked the Selectmen to authorize up to \$2,500 to do this. Mr. Holden asked about the the large boulders that were placed within the dam to adjust the water flow and Mr. Foglio said he doesn't know about them. Mr. Holden expressed concern with dropping the lake down 5 feet and issues with people getting water. Mr. Holden commented that if we don't get the gates back from repair until December the water will be too cold to put the gates back in. Ms. Brandt explained that it is not just the work on the gates and we have to get the lake down now because we have to replace the boat launch by October 1<sup>st</sup>. Mr. Holden suggested not adding the hole and putting the gates back on then moving forward with a cofferdam that we could maybe borrow from the State and then that work could be done anytime. Selectmen Woodsome said that a cofferdam would be more expensive and more time consuming than this (adding a hole to the dam). Chairman Littlefield said a cofferdam would only help with the replacement of the gates and we still have to do the boat launch. The priority in lowering the lake is for the boat launch. The dam gates have to have the gaskets replaced and the turn-around time is a couple of days. Selectman Woodsome asked if doing this (adding the hole in the dam) will make it so the lake is low enough to do the work at the boat launch. Mr. Foglio said he can't answer that. Selectman Gale asked if the town will be fined by DEP if we go over by a couple of days on the Oct. 1<sup>st</sup> deadline and Mr. Foglio said if we have done everything we can it would be discussable. We could get a permit to go beyond Oct. 1<sup>st</sup> but it is a long, costly process. Chairman Abbott said if we do nothing and let the water flow the way it is, we will never get it down 4 feet.

Selectman Woodsome moved to add an item not on the agenda under new business to put a hole in the dam, seconded by Selectman Gale, voted and passed, **5 yeas**.

Selectman Girard moved to hear the additional item now, seconded by Selectman Woodsome, voted and passed, **5 yeas**. Selectman Woodsome moved to proceed with the addition of a 2 foot diameter hole in the dam, seconded by Selectman Gale, voted and passed, **5 yeas**.

Selectman Girard moved to take New Business item #5 out of order and hear it now, seconded by Selectman Woodsome, voted and passed, **5 yeas**. **New Business Item #5 Discuss/vote to authorize the use of top soil and fencing from the Highway Department for the Community Garden:** Mr. Foglio said there is a substantial pile of top soil at the town pit that has to be moved and may be useful for the community garden. They also have fencing around the pits that has to be removed and some of it can be

reused there to move the gate in and there will be some left over that could also be used at the community garden. Selectman Girard moved to allow the community garden to use some topsoil and any extra fencing from the Highway Department, seconded by Selectman Gale, voted and passed, **5 years**.

**5. Selectmen's reports:** Selectman Girard reported that the Road Review Committee met last week and they went to McLucas Rd. to look at work being done there and they are doing a fantastic job. They also went to Old Alfred Rd. to look at the paving and the Chairman of the Road Review Committee pointed out a lot of deficiencies with the paving work that was done there. They saw the new excavator. Monday evening the 12 Town Group met and it was light attendance with 6 towns represented. They discussed proposed changes to State law regarding roads being turned back to municipalities and some draft language is available. Maine Municipal Association is working on this and will find a sponsor for the bill. The September 19<sup>th</sup> caucus for the County Commissioner's has been canceled. The Commissioner's say that in the future they will call and run the caucus and this is something that still has to be worked out. The Sanford Town Manager attended and said that due to staff cuts to save money in the budget they need help with coverage for vacations, etc. Because the work is specialized and people have to be certified in many different things, they are considering an idea to hire a clerk and offering the services of this clerk to other municipalities to share the cost.

Selectman Gale asked if the Board has any concerns with him doing some back up with General Assistance. He would be able to provide back-up coverage to Nancy Johnson. The Board did not have any concerns and asked that he keep them in the loop.

Selectman Woodsome asked if we should continue following up with the State about issues with the work done on Old Alfred Road. There was consensus from the Board to continue expressing the Town's dissatisfaction with the work that was done to the State.

**6. Town Administrator report:** Ms. Brandt reported that the CIP kickoff meeting with Department Heads is scheduled for September 26<sup>th</sup> and she asked the Board to start thinking about what they want to submit for CIPs. The deed for tax map 1 lot 22G has not come in yet. There are problems with the phones but it is not the new phone system, it is the phone lines. If the problem can't be fixed we are going to look into changing phone companies. Ms. Brandt has done a preliminary budget schedule with a deadline for the Town Administrator's budget by December 4<sup>th</sup>, the Selectmen's budget by January 4<sup>th</sup> and the Finance Committee's recommendations by February 11<sup>th</sup>. Quarterly reports have been scheduled for the Selectmen's meeting on Oct. 16<sup>th</sup>.

## **NEW BUSINESS:**

**1. Discuss/vote to approve the referendum questions and issue the warrant for the November 6, 2012 Election:** Selectman Girard moved to issue the warrant as presented, seconded by Selectman Gale, voted and passed, **5 years**.

**2. Discuss/vote on partial payment waiver process:** Chairman Abbott explained that the Town Attorney has advised the town not to enter into partial payment agreements for properties with matured tax liens and referenced Attorney Cole's letter. Selectman Girard asked that the Treasurer prepare a list of properties with matured liens and Chairman Abbott noted that he has asked for this also. Chairman Abbott asked Ms. Brandt to meet with the Treasurer and Tax Collector to let them know and discuss a course of action.

**3. Discuss/vote on IT Manager salary adjustment:** Selectman Littlefield moved to approve the salary adjustment for the IT Manager, seconded by Selectman Girard, voted and passed, **5 yeas**.

**4. Discuss/vote to sign the deed for the sale of property, tax map 1 lot 22G, to James Triance:** This item was postponed.

**5. Discuss/vote to authorize the use of top soil and fencing from the Highway Department for the Community Garden:** This item was taken out of order and heard prior to the Selectmen’s Reports under the Reports & Staff Initiatives section.

**OLD BUSINESS:** None

**OTHER:**

1. Moved by Selectman Woodsome to sign warrants for bills and payroll, seconded by Selectman Littlefield, voted and passed, **5 yeas**.

2. Moved by Selectman Gale to approve the minutes of the 9/11/12 regular meeting, seconded by Selectman Woodsome, voted and passed, **5 yeas**.

**PENDING DECISIONS**

1. Public Service Announcements
2. Review Driveway Opening Permit language
3. Board & Committee status
4. Barriers to prohibit vehicles from driving on the public beach
5. Cistern maintenance

**WEEK’S ACTION LIST:**

- Waiting for the deed for sale of property, tax map 1 lot 22G
- Town Administrator will follow up with Treasurer and Tax Collector regarding partial payment waivers
- Town Administrator will develop a skills matrix for town hall staff

**DISCUSSION OF AGENDA ITEMS:**

- Discuss amendments to the snowplow contract

Chairman Abbott read the reminders.

**ADJOURNMENT:** Selectman Woodsome moved to adjourn the meeting at 8:15 pm, seconded by Selectman Gale, voted and passed, **5 yeas**.

**SIGNED:**

1. Warrants for bills & payroll
2. Minutes of 9/11/12

**APPROVED:**    Date: \_\_\_\_\_

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