

**Minutes
Fryeburg Selectmen's Meeting
October 22, 2009**

In Attendance: Cliff Hall, Tom Klinepeter, Ed Wilkey, Martin Krauter

Location: Rescue Barn

The meeting was called to order with the Pledge of Allegiance at 7:07 pm and a quorum was declared.

Public Hearing on General Administration Ordinance:

Mr. Hall read the Ordinance to the public and proceeded to explain the rationale behind the ordinance. There was no public comment.

A motion was made to approve the ordinance as written. The motion passed, 3-0.

Treasurer's Report:

The treasurer's report was relayed by Mr. Krauter. \$2,082,312.74 is on hand. Variance reports were not distributed to the Selectmen but will be shortly. A copy of the Treasurers Report is attached.

Town Manager Report:

Mr. Krauter wanted to confirm the necessity for having a public hearing for the Special Amusement Ordinance on November 5th, since the ordinance will not be brought to voters until the Town Meeting. The Selectmen decided that it would be worthwhile to hold a public hearing anyways.

Mr. Krauter mentioned that Time Warner Cable and the Bridgton Chamber of Commerce will both be present at the next Selectmen's meeting.

Mr. Krauter brought up some issues that have arisen on the middle portion of the Haleytown reconstruction. It seems that there are 2 culverts which have deteriorated and it is the opinion of Burr Philips that they should be fixed this fall because they might not make it through the winter. The replacement of the culverts will require a DEP Permit by Rule. A discussion followed regarding whether the Town Public Works should replace the culvert or Glen Builders. The consensus of the selectmen is to have Mr. Krauter speak with the Road Commissioner to determine whether it is feasible for him to complete the work this fall. If not, then estimates will be obtained from Glen Builders. Mr. Krauter also gave a status update of the DEP vernal pool issues that are holding up the reconstruction of the middle section of roadway.

Mr. Krauter also brought up some issues regarding the old town garage. Currently the garage is used to store police and other miscellaneous equipment but it is quite dilapidated and needs work prior to winter. A suggestion was made by Dick Krasker to store the equipment at the fairgrounds and Rick Eastman offered space in his garage for the equipment. Discussion followed about whether the building is repairable and if so then what repairs are necessary to ensure that the building is safe. There was additional discussion about the possibility of selling the property.

Mr. Krauter reported that the new grader was delivered and was being used by the Public Works.

Lastly, Mr. Krauter brought up the mowing bids and the need for a decision to be made whether the mowing for all town property should be combined or remain as it is with the Parks Committee hiring a contractor separately. Mr. Hall believes that it makes sense to combine all work. It was mentioned that Lovell owns mowing equipment and hires 2 people in the summer to mow; this has reportedly been successful for Lovell and has proved to be a cost savings. That option will be looked into and compared to the bid prices.

Public Forum:

- Dick Krasker spoke about his wishes to finalize a date for the annual town meeting. He proposed that it be scheduled for April 26-28th and he proceeded to outline why he believes that a meeting date in April will be better attended and more advantageous. There was a vocal debate among the audience about the style of the town meeting (hyrid vs. traditional), the month of the town meeting, and the actual day of the week, with Emily Fletcher, Dick Krasker, Kimberly Clarke, Billy Mosher, William Zelf, Jennifer Reagan, Judy Redding, and Clyde Watson all voicing their opinion. It was suggested that should there be a town meeting where the attendees could vote about what goes on the warrant and then it will be voted on by secret ballot. Mr. Krauter believes that isn't possible without the adoption of a new Town Meeting Ordinance, which would need to be adopted at a town meeting.

Mr. Klinepeter made a motion to set a Town Meeting date for April 26th, 27th, 28th 2010, which was seconded by Mr. Wilkey. The motion passed 2-1 with Mr. Hall voting against the motion.

A workshop meeting was set for October 29th, 2009 at 7:00pm to discuss the structure and format of the town meeting.

- Emily Fletcher and Ken Brown praised Mr. Hall for his service to the Town.
- Bill Mosher inquired as to whether a date had been decided for a joint budget committee and selectmen meeting. A potential date was set for November 19th at 7:00 pm.

- Mr. Krasker wanted clarification from the Selectmen about whether one selectman can expend money without authorization from the other selectmen. The selectmen stated that this issue will not be discussed in a public meeting and that any discussion regarding a specific attorney's bill would happen during an executive session. Rick Eastman later expressed concern over a single selectman spending money for an attorney and believes that the town should not have to pay the fees.
- Mr. Krasker introduced Mark Dubois who spoke about Poland Spring's offer to provide the town with an underground water tank capable of filling the Town's largest fire department tanker. This work would be done in conjunction with the Fire Department to ensure that the water storage tank, loading equipment, and location are all appropriate for the fire departments use. A location for the underground tank has not been determined but it was suggested that a portion of the tanker load out facility on route 302 could be used for this purpose. Mark stated that Poland Spring will likely pay for construction and would supply water to the tank. The fire department would be responsible for maintenance and could be accessed by a knox box.

Ozzie Sheaf, Fire Chief, voiced his support for this offer because it would be the most convenient method to obtain water in that portion of the town, especially since the existing dry hydrant in Elkins Brook is not currently operable.

Mr. Hall has concerns about the liability of having this storage tank on private land but stated that Planning Board approval would be needed so ultimately the final decision would be up to the Planning Board. Mr. Dubois responded by again stating that there was no set location proposed for the tank and that it could in fact be placed on town property if there was an available parcel. Mrs. Clarke was in favor of leaving it on private property. Ken Brown suggested that a survey be completed to see if there are any other water sources available to the fire department.

Mr. Klinepeter voiced that he thinks this is a good idea and thinks that Poland Spring should present a plan to the planning Board.

- Mr. Krasker wanted to clear the record about his involvement in contacting the State Electrical Inspector about some issues at Canal Bridge Campground. He feels that he acted in the best interest of the Town and Parks Committee when he responded to some electrical issues.

Oxford House Liquor License Catering Permit:

The Oxford House submitted an application to receive special permits to allow for catering events that will take place at the performing arts center at Fryeburg Academy on November 21st and December 19th. It is estimated that 150 people will attend each event.

The Selectmen have not had any issues or complaints regarding previous permits that were issued to the Oxford House for similar events.

Mr. Klinepeter made a motion to approve the application, which was seconded by Mr. Wilkey and approved, 3-0.

Committee Appointments:

- **Recreation Committee:** It was stated that the Board of Directors for the corporation associated with the Recreation Department has historically been the same as the Recreation Committee.

Mr. Wilkey made a motion to approve the board of directors as the recreation committee, which was seconded by Mr. Klinepeter, and approved, 3-0.

- **Budget Committee:** There was discussion and a disagreement about Hannah Warren's status on the Budget Committee. However, she had requested to be appointed to the Committee, along with approximately 18 other people. While most of the input was that a large group would be beneficial, Mrs. Clarke asked if there would be any quorum issues with such a large group. The answer was that since the committee is advisory then it should not be an issue since the outcome votes are advisory in nature. Mr. Mosher, who serves as the chairman of the budget committee stated that it was the committee's understanding that 3 present members would be a sufficient quorum.

Mr. Klinepeter read the list of people that was compiled who had requested to be on the budget committee and added that Hannah Warren and Anita Alberti-Hafford had also requested a position on the committee although their names were not included on the list.

Mr. Klinepeter made a motion to appoint everyone who requested to be on the budget committee. Mr. Wilkey seconded the motion and the motion passed, 3-0.

The terms for the newly appointed members will be randomly determined. The Selectmen spoke about their hopes that the budget committee process will be smoother and professional this year.

- **Recycling Committee:** Sheri Shaw Davidson and William Harriman Jr have requested to be on the recycling committee and Mr. Wilkey made a motion to appoint them, which was seconded by Mr. Hall and passed 3-0.
- **Legion Committee:** Jennifer Reagan requested that either she or Priscilla Barton be appointed to the Legion Committee. Mr. Klinepeter made a motion to appoint Mrs. Reagan to the Legion Committee, which was seconded by Mr. Hall and passed 3-0.

- **Comprehensive Plan Committee:** Mr. Klinepeter had been in contact with the Planning Board chairmen and relayed that the Planning Board intends to begin forming a committee by posting notices in the local papers, posting it on the town's website and by word of mouth. Mr. Klinepeter suggested including a notation on the letters sent to all of the newly appointed committee members inviting them to participate in the comprehensive plan committee. Mr. Klinepeter reported that the Planning Board hopes to have a group together in early November to meet with a representative from both Southern Maine Regional Planning Commission and the State Planning Office. Mr. Hall stated that he doesn't support spending town funds to update the comprehensive plan since it is his understanding that it can be a simple process if the checklists provided by the State planning Office are followed.

Sidewalk Snow Plowing Bids:

The revised sidewalk snow plowing bids were opened. Clyde Watson Inc.'s total bid for the 3 year period was \$36,709.50 and Pro-Com Property Management was \$35,700. Mr. Klinepeter, Holly Foster, Jennifer Reagan, and Ken Brown all expressed that Mr. Watson should be awarded the bid based on his local presence and the quality of his work over the past years. Mr. Watson said that he typically believes that the low bid should be honored but questioned where Pro-Com would store their equipment and who would load their trucks with sand, since he is not a local contractor.

Mr. Klinepeter made a motion to accept Clyde Watson Inc.'s bid, which was seconded by Mr. Wilkey and approved 3-0.

Transfer of Rescue Building:

A discussion ensued about the proposed lease agreement offered by Fryeburg Rescue. Two representatives were present from the Fryeburg rescue to answer questions about the draft lease agreement. The draft lease agreement will be sent to Peter Malia to review prior to the November 5th Selectmen's meeting.

Future of Newman-Skillings Park:

A letter from Craig Holden was read regarding a request to turn the property adjacent to Wards Brook, known as the Boy Scout Park or Newman-Skillings Park, back over to the original owner if the Town is not utilizing the land as outlined in the deed. The land was intended to serve as an area for local youth organizations to camp and participate in outdoor activities.

It was admitted that this use of this area has diminished over the last few years and it is unknown if organizations are aware of the parks existence. Efforts will be put into making groups aware of the property as the Town is not in favor of turning the land back over to the original owner.

H.A. Cassidy's Request:

Dwayne Ela of H.A. Cassidy's has written a letter of request, asking that the conditions of his special amusement permit be amended to allow karaoke on Halloween until 11 pm.

Mr. Klinepeter made a motion to approve the request for increased hours on October 31st as well as allow occasional special events to occur until 11:30 without requiring approval from the Selectmen with the understanding that this right can be revoked. Mr. Wiley seconded the motion and it was passed, 3-0.

Examples of special events include holidays like Halloween and St. Patrick's Day and are not to be held on a regular basis, such as every Saturday.

Scott Gamwell Request:

Scott Gamwell has requested that the Town show the movie "Tapped" to the public, possibly at the Fryeburg Academy. Mr. Klinepeter has yet to see any correspondence from Mr. Gamwell and requested that the decision be tabled until the Selectmen have time to review the correspondence and the specifics of the request.

The meeting was adjourned at 10:35 pm.

Respectfully submitted,

Katie Haley