

**BOARD OF SELECTPERSONS
MINUTES
Monday, June 19, 2006 – 7:00 pm
Municipal Offices Building**

Public Hearing on Naples Lobster Pound Liquor License:

Mr. Paraschak called the Public Hearing to order.

Mr. Goodine has not received any complaints. Mr. McGowan clarified that they only serve beer and wine. There was no further discussion.

Mr. Watson made a motion to adjourn the Public Hearing. Mr. McGowan seconded the motion. The motion was approved unanimously.

Mr. McGowan made a motion to approve the Liquor License for Naples Lobster Pound. Mr. Watson seconded the motion. The motion was approved unanimously.

Public Hearing on Special Amusement Permit for Shaker's Bar and Grill:

Mr. Paraschak called the Public Hearing to order.

Mr. Goodine has not had any complaints nor knows of any violations. Mr. McGowan clarified the applicant was not asking for any no outside entertainment. The application did not specifically request outside entertainment.

Mr. Watson made a motion to adjourn the Public Hearing. Mr. McGowan seconded the motion. The motion was approved unanimously.

Mr. Watson made a motion to approve the Special Amusement Permit for Shaker's Bar and Grill. Mr. McGowan seconded the motion and added no outdoor entertainment. The motion was approved unanimously.

Public Hearing on Special Amusement Permit for Sydney's Restaurant:

Mr. Paraschak called the Public Hearing to order.

Mr. Goodine also has had no violations or complaints regarding this establishment. There was no further comment.

Mr. Watson made a motion to adjourn the Public Hearing. Mr. McGowan seconded the motion. The motion was approved unanimously.

Mr. McGowan made a motion to approve the Special Amusement Permit for Sydney's Restaurant for inside entertainment only. Mr. Watson seconded the motion. The motion was approved unanimously.

Public Hearing on Special Amusement Permit for Bray's Brew Pub:

Mr. Paraschak called the Public Hearing to order.

Mr. Goodine reviewed the application. This application did request outside entertainment. The Board agreed that outside music would need to be acoustic only and end by 9 pm. Mr. Bray asked if the permit had changed because last year he was not restricted to only acoustic music outdoors. The Board agreed he should be allowed to have the same as the previous year. Mr. Watson made a motion to close the Public Hearing. Ms. Thompson seconded the motion. The motion was approved unanimously.

Ms. Thompson then made a motion to approve the Special Amusement Permit for Bray's Brew Pub the same as the previous year. Mr. Watson seconded the motion. The motion was approved unanimously.

Regular Meeting:

Mr. Paraschak called the regular meeting to order.

Also present were Patrick McGowan, Karen Thompson, Dana Watson, and Town Manager Derik Goodine.

Approval of Special Amusement Permit and Bingo and Pull Tab Licenses:

Mr. Goodine reminded the Board at the last meeting a Public Hearing was held for Rick's Café's Special Amusement Permit and the Board wanted to know if they were asking for any outdoor music. Since, Mr. Goodine has found out that the application is for inside music only. With that, Ms. Thompson made a motion to approve the Special Amusement Permit for Rick's Café. Mr. Watson seconded the motion. The motion was approved by a vote of three in favor, one opposed.

Mr. Goodine had received the bingo and pull-tab licenses application for the American Legion. There is no public hearing required. The license states Bingo will be held every Wednesday. Mr. Watson made a motion to approve the Bingo License. The motion was seconded. The motion was approved unanimously.

Mr. Goodine then stated the pull-tab license is to allow pull-tabs daily. Mr. McGowan asked if this was something new? Mr. Goodine was unsure. Mr. McGowan made a

motion to approve the pull-tab license. The motion was seconded. The motion was approved unanimously.

The minutes of June 6, 2006 were not available for review.

Public Participation:

Ms. Leslie McConnell first had a question regarding an administrative ordinance for the Board of Selectpersons. She asked if the MMA guidebook had any legal standing? It does not. She then asked who would be running the meeting on the code of ethics? Mr. Goodine has contacted MMA to see if their head attorney could do that, however, he has not heard back from them yet. If he can, Mr. Goodine thought the workshop could be offered to other towns to help defray the cost. They are still trying to have that workshop on July 17th.

Ms. McConnell then asked if there was an existing Board of Appeals Ordinance? Mr. Goodine is unsure, he has not been able to find one as of yet. Mr. Goodine then explained that the new Ordinance would take the place of any other ordinances appeals section. It takes out the interpretation appeals that usually go to a higher court anyway. Ms. McConnell then clarified that the Board of Appeals would hear applications for Lot Setback Reductions, appeals of the Code Enforcement Officer's decision and Shoreland Zoning issues. She then questioned why the Minor Site Plan Review Ordinance has an appeals section in it. Mr. Goodine explained it needed the language in case the Board of Appeals Ordinance did not get adopted. If it does get adopted that language would need to be taken out, like all the others. Ms. McConnell then asked how many other towns have a Board of Appeals Ordinance like this one? Mr. Goodine did not have those numbers. Ms. McConnell then asked if someone would be at Town Meeting to discuss the proposed ordinance? Mr. McGowan thought Mr. Jake Roush, Chairman of the Appeals Board, would be present.

Karen Swaim, who is on the Board of Directors for a nonprofit after school riding program, would like to have pony rides on July 4th as a fundraiser. She would like to have them near the Town Office. Mr. Paraschak informed her she would need to provide additional information and proof of insurance. Ms. Swaim wondered where a good place to set up would be. A couple of locations were discussed. Mr. McGowan thought the Recreation Director was also going to do something on July 4th. The Board felt it was possible, but told Ms. Swaim to get all her information together along with proof of insurance and present it to Mr. Goodine and to make sure there are no conflicts with the use of the facility.

New Business:

Naples Bridge Emergency Closure Plan:

Mr. Goodine informed the Board that this was something the former EMA Director thought should be in place if or when the bridge gets stuck open. Currently, there is no

plan in place. Mr. Goodine spoke with Bill John, MDOT Drawbridge Maintenance Supervisor, regarding the Bridge Emergency Detour / Closure Plan. There should be a short term and a long-term plan that will be represented by two signs, A and B that the rescue department could put out. Mr. Goodine further explained currently with no plan, people just sit and wait, which causes traffic to back up. If there is a problem and the signs are put out it would let people know there is a problem and to seek an alternate route.

Mr. Paraschak, who works for MDOT, is not sure why the town needs to get involved. It is a State bridge and a State road and it should be their responsibility. They should be the primary responders. Mr. Goodine agrees it should be their responsibility, but thought it would be easier and quicker for the town to put the signs out. Mr. Goodine then stated MDOT would do the majority of the work; we would only help with the short-term problems. Mr. Paraschak stated he does not want the town to be involved with directing traffic. He then reassured everyone that if the bridge does get stuck open, Naples has mutual aid agreements with other towns that could respond to a situation if Naples rescue/fire were stuck on this side of the bridge.

Mr. Goodine feels the town should take action on the signs and short-term action. Mr. Paraschak wants MDOT to make the decision the signs need to go out and contact us. Mr. McGowan then made a motion to approve the emergency closure plan and to store the signs. Mr. Watson seconded the motion. The motion was approved unanimously.

Old Business:

Fireworks:

Mr. Goodine explained he would be taking a trip down the Songo River to retrieve an eight-foot by twenty-four foot dock, although that still is not quite enough for the fireworks. He may need to pull out a section of the town dock later in the day on July 4th to make up the remainder of what is needed. Mr. Dan Allen has offered to maintain and store the dock Mr. Goodine is going to get.

Tabled Items:

Tax Increment Financing:

Mr. Goodine will be meeting with Noreen Norton on June 29th.

Lakehouse Road Discontinuance:

Mr. Goodine has attempted to call the developer. He has touched base with him briefly. The Board is still in favor of the new road and Mr. Goodine believes the developer is as well.

Manager's Report:

Nothing at this time other than Mr. Goodine reminded the Board that Town Meeting would be Wednesday at 7 pm.

Mr. McGowan asked how the Blues Festival went? Mr. Goodine stated the businesses thought it went well and didn't have any major concerns. Mr. Paraschak had spent time on the Village Green during the day thought there was a steady stream of people, there were good activities for children and adults and there was adequate security. Over all, the entire event was a great success.

Consent Items:

Appointments:

Mr. Goodine had two appointments. One was for Jack Meeker Jr for the Board of Appeals. The other was for Bob Silcott as Assistant Animal Control Officer. Mr. Silcott will shadow Mr. McGoldrick and respond when Mr. McGoldrick cannot be there. Mr. Paraschak asked if the town pays for any of their insurance? The town does carry the worker's compensation insurance. Mr. Paraschak would like to postpone action on the Assistant Animal Control Officer until the next meeting, to give them more time to look into it a little more.

Causeway Sheriff Contract:

Mr. Goodine had the contract for the 2006 summer season. The contract will run from July 20th until September 4th. The amount is \$11,361.84. There was some concern if there would be sheriffs for 4th of July, but there will be.

Pole Permit:

Mr. Goodine was unsure where Old Harrison Road is located. Mr. Paraschak volunteered to go look at the location.

Correspondence:

None

Other Business as Appropriate:

Mr. McGowan shared that he attended Mr. Price's (Recreation Director) wedding over the weekend. The Board wished him well.

Mr. Watson made a motion to go into Executive Session regarding a rescue bill waiver, Title 1, 401A at 8:21 pm. Ms. Thompson seconded the motion. The motion was approved unanimously.

Mr. McGowan made a motion to return from Executive Session at 8:30 pm. The motion was seconded. The motion was approved unanimously.

Mr. McGowan then made a motion to take no action. Mr. Watson seconded the motion. The motion was approved unanimously.

Payroll and Payables were signed.

Meeting was adjourned.

Respectfully submitted,

Derik Goodine
Town Manager