

TOWN OF NAPLES
Monday, August 7, 2006
Public Hearing on Roman's Pizza Liquor License
and
BOARD OF SELECTPERSONS MEETING
At 6:30PM
Held at the Naples Municipal Offices Building

SELECTBOARD MEETING AGENDA

Mr. Watson made a motion to go into Executive Session with Legal Council on a pending Legal Matter at 6:55 pm. Mr. Paraschak seconded the motion. The motion was approved unanimously.

Ms. Thompson made a motion to come out of Executive Session. Ms. Powers seconded the motion. The motion was approved unanimously. Mr. Paraschak then made a motion to instruct Mr. John Thompson, Code Enforcement Officer, to issue a violation order to Mr. Schwartz, per the court decision. Mr. Watson seconded the motion. The motion was approved unanimously.

PUBLIC HEARING ON ROMAN'S PIZZERIA LIQUOR LICENSE

Mr. McGowan called the Public Hearing to order.

Mr. Goodine was not aware of any violations. Their application is for beer and wine only and they are applying for restaurant/lounge class. The application was complete. There was no one present to speak for or against.

Ms. Powers made a motion to adjourn the Public Hearing. The motion was seconded. The motion was approved unanimously.

*****CONTINUATION OF SELECTBOARD AGENDA*****

The minutes of April 24, July 10, and July 31, 2006 were not available. Mr. Watson made a motion to approve the minutes of June 19, 2006. The motion was seconded. The motion passed by a vote of three in favor, two abstentions.

Approval of Liquor Licenses:

Mr. Watson made a motion to approve the Liquor License for Roman's Pizzeria. Ms. Powers seconded the motion. The motion was approved unanimously.

The Board needed to take formal action on the Liquor License for the Black Bear Café as well. A motion was made to approve the Liquor License for the Black Bear Café. Mr. Watson seconded the motion. The motion was approved unanimously.

Public Participation: None

New Business:

Any action or discussion needed from Executive Session:

Mr. Goodine stated for the record that the Board directed the Code Enforcement Officer to issue a violation to Mr. Schwartz and they will be discussing this issue further at the next meeting after reviewing letters and legal documents.

Old Business:

Grange Use - Before and After Care:

Mr. Goodine stated he has not received any information from Mr. Andy Madura. He spoke with Mr. Frank Gorham and the Chairwoman of the Schoolboard whether the program will be using the school facility. The program will be charged if they use the facility. Mr. Robert Neault explained that the program is not considered a nonprofit group, therefore will have to pay the fee. Mr. Neault continued by stating the program worked well in the school for many years, but budgets were tightening up and more demands were made. The program worked well here at the Town Office last year. Having the school bus stop here doesn't require any additional bussing expense. They would also love to continue to investigate revitalizing the grange. He has been authorized to use \$3,000 for insulation for the grange. However, Mr. Goodine felt they should hold off until they knew what was happening with the grange building. Mr. Neault reminded the Board that the town did pass funds to insulate the grange and the group is still ready to pay for their heating costs. The Board gave their support to allow the program to start at the Town Office and look into getting an insulation engineer to look at the grange. Mr. McGowan asked if they were looking for a long-term contract with the Town. Mr. Neault said before they invest money into the building, they would be looking for some long-term arrangement. Mr. Neault said there were some cosmetic items that would need to be addressed. The paint on the wall near the kitchen is chipping badly and possibly could get a grant to redo the whole wall. Mr. Paraschak feels that when they accepted the building, there was no intention to use it during the winter months, but if a group wants to investigate it further that is fine, but items such as handicapped ramp, the town should be responsible for as the owners of the building. There was a brief mention of getting the Grange Committee meeting again.

Overnight Parking:

Mr. Goodine explained that we have an unenforceable ordinance because Naples does not have a contract with any law enforcement agency. Another issue is the right of appeal, if someone wanted to appeal a parking ticket, we would be looking at court fees. Mr. Kevin Joyce, Deputy Chief of the Cumberland County Sheriff's Department was present for the discussion. Deputy Joyce explained the marine safety officers could be appointed as police officers for the purpose of writing parking tickets. The Sheriff's Department has tried contracts with several towns. It didn't work so well in Raymond. Raymond drafted an ordinance that gave the Sheriff's Department and the State Police the authority to issue the summons, but it didn't address the costs of dealing with court. He further explained the District Attorney would not prosecute ordinances. Some towns have used their attorney, but it is costly. He continued to say that if tickets are written, a percentage will get paid, but the

majority of people will not bother to pay the parking ticket, but he cautioned if the town lets those slide it may open the door for other issues. He also pointed out that the cost of taking someone to court may cost more than the ticket is worth.

Mr. Paraschak asked if when a ticket is written if a boot could be placed on the car, so the owner would have to pay the ticket. Mr. Joyce said they use boots, but usually after a few tickets have been issued and not paid. Mr. Goodine then stated a boot could be used as an excuse for why they couldn't leave.

Mr. McGowan felt the signage at the Causeway should be changed to state, "after 1 pm cars will be towed" instead of just "no overnight parking".

Deputy Joyce recommended the Town's attorney be consulted on anything the Board chooses to do. He also feels that where nothing has been enforced to date, notification will need to be done.

Ms. Powers feels there is more than just overnight parking to deal with. There are other safety issues that should be looked at, such as, people who park large vehicles on Route 302 that encroach onto the travel way. Deputy Joyce said that could be dealt with too, it is considered to be obstructing a public way.

Mr. Paraschak thinks the ordinance should be cleaned up and the Board should look at contracting a towing company.

Ms. Powers then made a motion to ask the Ordinance Review Committee to review the traffic ordinance. The motion was seconded. There was a brief discussion on who was going to enforce the ordinance. Someone will have to be hired or a contract with the towing company would be needed. The motion was then approved unanimously.

Drug Free Zones:

Mr. Goodine did not have anything new on this item but did ask Deputy Joyce if he knew what the signs should look like. Mr. Joyce explained the process of posting the areas and specified they should be well posted and should be accurate to the 1,000-foot mark. When the areas do get posted then the Sheriff's Office and the State Police should be notified. The areas to be posted were then reviewed. Naples has four locations: Songo Locks Elementary School, Town Beach, Town Office Grounds and the Legion area. Mr. Paraschak made a motion to designate the mentioned areas as safe zones and appropriate signage to be put up by the Road Commissioner. The motion was seconded. The motion was then approved unanimously.

Causeway Sheriff:

Deputy Joyce explained the sheriff that was supposed to work the Causeway area this year got injured and they were not able to replace him therefore no one was available for the Causeway area this summer. Currently, the Town of Sebago is looking at hiring a part-time sheriff and looking for a town to share the other 20 hours. The start up costs to hire a full time deputy would be about \$124,000 to be split between the two towns. The following years

it would drop to about \$70,000. Mr. Paraschak was concerned that the sheriff would be in one town for two days and the other town for two days, leaving each town unattended for five days out of each week. Ms. Powers asked if it was possible for the sheriff to spend time in both towns on each of the four workdays. Deputy Joyce thought it may be possible. Mr. Goodine felt the only other option was to rely on the State Police, who are strapped or a private security company. Mr. Paraschak feels all options should be investigated before any decision is made.

Lakehouse Road Discontinuance:

The scheduled meeting did not take place. Mr. Goodine will try to reschedule it.

Conflict of Interest Workshop Discussion:

The Board did have the workshop the previous week, but are still waiting for the information from Attorney Hole. Mr. Goodine will get it to the Board as soon as he receives it.

Tabled Items:

None

Manager's Report:

Nothing was discussed.

Consent Items:

Budget Carryovers:

None at this time. But the Board did request the information prior to the meeting.

Sign County Tax Paperwork:

The paperwork was signed.

Approval of MDOT URIP Funds:

Mr. Paraschak had signed the paperwork and sent it in. Mr. Watson did make a motion to approve the funds. The motion was seconded. The motion was approved unanimously.

Pole Permit:

The permit was for the pole to be located on Cooks Mills Road with the revised location.

Appointment to CDBG Oversight Committee:

Not at this time.

Sign Weapons Permit Paperwork:

The paperwork was signed.

Time Warner/Adelphia Update:

Mr. Goodine informed the Board that Time Warner has taken over Adelphia as of August 1, 2006. The Town did receive a check for \$500 for reimbursement of legal costs. He is checking into the installation of live origination points. They are supposed to be done within two months of the takeover.

Correspondence:

Mr. Goodine received a thank you card from the Whynot family for the flowers that were sent to the family.

Mr. Goodine gave the Board information he received regarding TABOR.

Mr. Goodine then informed the Board that the new website is coming along. He has been looking at what other towns are offering for online services. Towns have shied away from taking credit card payments because of the money they lose from the service fee, but Standish is using a company that charges a convenience fee to the user, so the Town doesn't lose any money. Mr. Paraschak would like to first see vehicle registration online. That service is coming.

Other Business as Appropriate:

Since MDOT is usually receiving negative publicity, Mr. Paraschak wanted to give them credit for paving Route 11.

Payroll and Payables were signed.

Meeting was adjourned.

Respectfully submitted,

Derik Goodine
Town Manager