

TOWN OF NAPLES
Monday, October 22, 2007
BOARD OF SELECTPERSONS MINUTES

Christine Powers called the meeting to order at 7:00. Also present were Dana Watson, Rick Paraschak, Robert Caron Sr., Karen Thompson and Town Manager Derik Goodine.

Review and approve the minutes of March 12, 2007; April 9, 2007; April 30, 2007, Emergency Meeting; May 7, 2007; May 21, 2007; June 4, 2007; July 30, 2007; August 27, 2007; September 10, 2007; September 24, 2007; and October 8, 2007

Mrs. Thompson made a motion to approve the minutes of September 24, 2007. Mr. Paraschak seconded the motion. Vote 4-0-1. Mr. Watson abstained.

Public Participation - None

New Business

Animal Control Ordinance – Mr. Goodine said he had met with Bob Silcot, Animal Control Officer regarding the Animal Control Ordinance, specifically leashing dogs. Mr. Goodine said it is very rare to find a town that has a leash law. In his experience people tend to get upset if they are forced to have their dog leashed. Mr. Goodine said the current Ordinance for Naples states you must have your dog in your personal presence or under verbal command from the owner but does not require a leash. Mr. Goodine said he had received a complaint from a concerned resident who has been having issues with her neighbors in Madison Heights. He does not feel the ordinance language is very strong or very clear. Mrs. Powers asked if this should be left up the Ordinance Review Committee. Mr. Paraschak questioned if this really needs to be reviewed, as this is the first complaint he had heard of. Doug Bogdan asked if there was a statewide leash law. Mr. Goodine said no. Mr. Watson said 90% of the dog cases he hears about are more about neighbor disputes. The Board felt the Ordinance Review Committee already had a full plate, and this was not priority. Mr. Caron agreed it's a neighbor dispute and really has nothing to do with the Ordinance. Mr. Goodine said he checked neighboring towns, and they have the same Ordinance language. Mrs. Powers said maybe in the future the ORC could look at this, but at this time, they have other issues to work on that take priority.

Causeway Ownership – Mr. Goodine explained he had received a letter to Rich Cebra from DOT officials asking does DOT own the seawall itself. Mr. Goodine said the seawall could be owned by the State by prescriptive easement or squatter's rights. Mr. Goodine said he looked at the original blueprint from 1930. Mr. Watson said this was modified in 1950's. Mr. Paraschak said his understanding is not necessarily ownership. He said this case is similar to roads, the town maintains them but doesn't mean we own them. In this case, he thinks we own the seawall, but the State maintains it. Mr. Goodine questioned whether or not we own the sidewalks because in 1959 the land was submerged and does not think the Town of Naples or the businesses across the street had ownership. Mr. Watson disagreed. Mr. Caron asked why Mr. Goodine thought this was an issue. Mr. Goodine said in the event of environmental issues or liability, and who should pay to replace the seawall. In the letter, Mr. Goodine said there is a reference to pumps that needed to be removed. Mr. Watson said tanks and pumps were removed years ago. Mr. Goodine said the reason he is asking is because the State is claiming its Naples responsibility to maintain the seawall. Mr. Paraschak

said this all generated from Naples Main Street, and Mr. Goodine approaching the State to fund the reconstruction of the causeway. Mr. Goodine stated that for the past 3 winters ice and water had made its way into the road, and he is afraid someone will impale themselves on a large icicle. Mr. Caron disagreed someone is going to impale themselves. Mr. Watson made a motion to move along.

Old Business

A. Bulky Waste Coupon System Discussion – Mr. Goodine said a few meetings ago the issue of coupon system was discussed for campgrounds. The residents of the campgrounds had asked for a lower rate or more coupons. Mr. Goodine wrote to Raymond asking what their procedure was for this instance. Raymond's reply was they do not give extra coupons and everyone, other than commercial accounts are at the same rate. Mr. Caron said he thinks there is a decline in materials being dropped off at the transfer station, and we may have to increase the amount of coupons issued. Mr. Paraschak said one question brought to his attention was brush cleanup: would it be possible for residences to be issued a coupon for brush and leaves separate from the other 1,000, because a lot of people in Naples regularly maintain and clean up their yard, and they use up the coupons, so quickly and have none left if they have a stove or something to drop off. Mr. Watson agreed brush disposal is a big problem and has received complaints about using up the coupons too quickly. Mr. Goodine stated nothing could be changed at this time on that issue. He also said the Transfer Station is currently selling their wood chips to as biomass instead of to Naples residents because there is more revenue generated. Mr. Goodine said he went to the Riverside Waste Facility meeting and discovered that household hazardous waste can be brought to the Riverside facility on Saturday's, he will put together advertising for this. Mr. Caron asked Mr. Goodine to put this in the Bridgton News. Mr. Paraschak asked for clarification for Naples residents dropping waste at Riverside. Mr. Goodine said this has not been worked out yet. Mr. Watson said he did know for certain you could take oil over anytime.

B. Singer Community Center Update - if available – Mr. Goodine met with a carpenter today, and there is a Committee meeting tomorrow night. A presentation will be presented to the Board when ready. The presentation will include a cost scenario for getting the building up and running

C. School Consolidation Committee – Mr. Caron said there is a meeting scheduled for November 1st at 3:00pm at the Superintendents office. He anticipates this to be a very productive and interesting meeting resulting in concrete changes that are due in 3 weeks.

D. Cumberland County Assessing Feasibility Study – Mr. Goodine attended a GPCOG meeting and found there are different ways that this program may be designed. Mr. Goodine agreed to serve on an advisory committee. He said some provisions of the plan look more feasible than others. The committee plans to develop a plan that will perhaps save money and offer a better service and perhaps eliminate staff time spent on assessing related issues. Mr. Paraschak asked if a community gets involved are they obligated forever and asked Mr. Goodine to ask that question at the next meeting. Mr. Goodine said the meeting is on Friday.

E. Zoning Ordinance – if available

F. Naples Visitor's Center- Mrs. Powers said that she and Mr. Goodine had met regarding this matter and thought they should bid out to see how the community could be best served. Many questions came about: a website, how you would contact the booth during the winter. The issue Mr. Goodine sees is some businesses are seasonal and cannot belong to both Chambers, this creates a hardship. Mr. Goodine said if Naples tax dollars are being used on the building whether you belong to one chamber or the other you should have a right to participate. Mrs. Thompson explained if you are a member you could put your literature in the racks, if you are not a member you pay the fee. Mr. Goodine said in his opinion if you belong to one or the other regardless of who is running it, then you should have a right to participate in the facility. Mr. Goodine said he cares about the Naples businesses, and we should not have to force someone to join one chamber or the other. He said many can't afford both chambers. Mr. Watson said if someone drives up for the day to visit the area and a certain chamber is running it, then would the chamber send him or her out of Naples? Mrs. Thompson said that is how the Chambers run. Mrs. Powers said we should not be sending business outside of Naples. Mr. Caron thought there should be a set of questions and perimeters set up for the chambers before they bid on running the information both. Mr. Paraschak made a motion to have Mrs. Powers draft an email asking both Chambers for proposals. Mr. Caron seconded it. All were in favor. Mr. Goodine said his preference would be to have both Chambers run the booth, and he personally would like to be left out of this decision.

Tabled Items

A. Lakehouse Road Discontinuance – No updates at this time.

B. Town Office Water Problems and filtration – Mr. Goodine said the uranium kits have been ordered and when they arrive the test will be conducted, one after the water has run for the weekend and another as normally conducted. Mrs. Powers stated she thought turning the water off and using hand sanitizer is not the way to cut corners, water is needed to help prevent disease and infection and is very important for our future. Mrs. Thompson said she is allergic to hand sanitizer, and this is a very common allergy.

Manager's Report – Nothing at this time.

Consent Items

A. Transfer Station/Bulky Waste Committee Appointment – Mr. Goodine said they are still looking for a candidate.

B. FY 2007 Carry Forwards Approval – Mr. Goodine he has carry forward figures for various accounts; some of which include heating oil, recreation, general maintenance and paving of the roads and cemeteries. Mr. Goodine said he needs a motion to approve the list, so they can finalize the audit. Mr. Paraschak asked for clarification with the figures; his concern is what money is being carried over from one fiscal year to the next. Mr. Goodine explained until the audit is done the exact balances are not available, Cathy, the bookkeeper wanted the Board to have the allocated values carried forward. Mr. Paraschak said in the past when the fiscal year ended, and there was money left in a department, the department would usually come before the Board, so they could spend the money before the fiscal year has ended, but this has not happened lately. Mr. Caron asked when the audit would be done. Mr. Goodine said within a few weeks.

Mrs. Powers made a motion to carry forward the balances for the audit. Mr. Watson seconded the motion. All were in favor.

C. Septic Tank Contract – Mr. Goodine said this comes up every five years. It is the agreement between Naples and the Lewiston Auburn Water Pollution Control Facility. The annual fee is \$250. Mr. Goodine handed out copies of the agreement. Mr. Goodine explained he needs authorization to renew the contract. Effective date of the new contract is January 1, 2008. State law says we have to have a place where people can put their septic waste, which used to be down at the Perley Road site, but the Lewiston Auburn facility saves the Town money. Mr. Paraschak asked who pays when dumping waste. Mr. Goodine said the individual pays the facility. Mr. Paraschak made a motion to have Mrs. Powers and Mr. Goodine sign the contract. Mr. Watson seconded the motion. All were in favor.

D. Correspondence – Mr. Goodine said he had handed out legal items from the Cohen and Swartz case. He reminded the Board there would be three County questions on the November referendum. The Board had no questions.

Other Business as Appropriate

Payroll and Payables were signed.

Executive Session – if needed

Mr. Watson made a motion to adjourn the meeting at 8:12 pm. Mr. Paraschak seconded the motion. All were in favor.

Respectfully Submitted,

Derik Goodine
Naples Town Manager