

MINUTES
Board of Selectmen Meeting
PUBLIC HEARING
Tuesday, May 19, 1998

ATTENDANCE: Stephanie Bubier, Chairman; Betty McDermott; Timothy Pomerleau; Ada Brown; Michael McClellan; Nathan White, Road Commissioner; and Nathan Poore, Town Manager.

1. **CALL TO ORDER:** Stephanie Bubier called the meeting to order at 7:00 pm at the Town Hall.
2. Consideration of previous meeting minutes.
 - a. May 5, 1998

MOTION: Betty McDermott motioned to approve the Minutes as written.

AMENDMENT: Mr. McClellan asked that the Minutes be amended to say that he thanked the Comprehensive Plan Committee and Jackie Hewett for their work.

MOTION: Betty McDermott accepted the Amendment. Motion and Amendment Seconded by Michael McClellan

VOTE: 4 in favor (McClellan, McDermott, Bubier, Pomerleau) 1 opposed (Brown)

3. Public Hearing and consideration on a request of Richard Raymond d/b/a Raymond Lobster Pound for a new Class XI malt, spirituous, vinous restaurant/lounge liquor license.

DISCUSSION: Richard Ashley, 3 Pine Lane, asked how many sheriff's complaints were made last year concerning the Lobster Pound. Mr. Poore replied that in the calendar year 1997 there were 10 calls. Mr. Ashley said the problem was from 12:00 to 3:00 am because of noise disturbance. He said he didn't want to deter business in Raymond but asked that the license not be approved because of this problem. He added that last week there was a disturbance at 2:00 am of hollering and pounding. Mrs. Bubier noted that there was a letter of complaint containing the same comments. Dennis Temm, Pine Lane, concurred saying that there were many complaints which were never called into the police. He added that people park on the dirt road behind the restaurant which is essentially in their back yards. He felt that these cars should be in the parking lot in front of the business. He also said that most of the disturbances happens after the business closes. Mr. Raymond said he became the sole owner in February 1998 and felt that the change of management policy will help the situation since he will be enhancing the restaurant business and reducing the bar crowd. There was discussion about the parking issues. Mrs. Bubier asked what he could do to solve the parking/noise problems. Mr. Raymond said that there would be no entertainment in the lounge which has been reduced in size. He felt the general use of the access road behind the building should be curtailed although he wasn't sure how it could be accomplished. He indicated that the lounge would be closed Sunday PM and the restaurant would close at 9:00 PM during the week and 12:00 PM weekends. Mr. Pomerleau questioned what latitude the Selectmen have. Mr. Poore said they could use convictions of which there seem to be none, a compliance ordinance

which we don't have, and violations by management or patrons. Mr. Poore felt that they could put the onus on the applicant for signage and enforcement of parking.

MOTION: Tim Pomerleau motioned the approve the license with the condition that there be no parking behind the building and that it be policed by the owner and if there is no compliance their license will be revoked. Seconded by Betty McDermott.

DISCUSSION: Mr. Poore noted that the Sheriff's Department didn't think that the incidence of calls at the restaurant was excessive. Mr. Temm asked if the restaurant and the lounge needed separate licenses. Mr. Poore replied no. Mr. Raymond questioned the feasibility of putting up a gate for the whole access road. He said he would try to rectify the problem.

AMENDMENT: Tim Pomerleau amended his motion to add the condition that there be no live entertainment (live music). Seconded by Betty McDermott.

DISCUSSION: Mrs. Brown questioned the liquor license in the first place. Mrs. Bubier said it had been an established restaurant for a long time. Mr. Raymond indicated that he was trying to improve the atmosphere of the business and would be entertaining wedding receptions etc. which would want to have a band or disk jockey. He added that the Raymond Fire/Rescue would be having their annual dinner in November there as they did last year and they would like to have a disk jockey. He continued that the entertainment in the lounge would be only a pool table and dart boards. He would also be catering off premises. He felt that by having any music in the restaurant area, the houses behind the restaurant would not be bothered.

AMENDMENT: Tim Pomerleau amended his motion to add that any music should be cut off at 10:00 pm and that there be no patron parking behind the restaurant.

DISCUSSION: Mr. Raymond said that he was considering making the rear door an emergency exit only.

VOTE: 2 in favor (Pomerleau, McClellan) 2 opposed (Brown, McDermott)

MOTION: Stephanie Bubier motioned to approve with the conditions that there be no patron parking behind the restaurant and Mr. Raymond will be responsible for policing the area, there will be no live music in the rear of the building and allowed in the front part of the restaurant only. Seconded by Betty McDermott.

VOTE: 3 in favor (Bubier, McDermott, McClellan) 2 opposed (Brown, Pomerleau)

PUBLIC HEARING CLOSED: Stephanie Bubier closed the Public Hearing at 8:54 after the license was signed.

4. Consideration on a request of Linda Afthim d/b/a Beacon Lanes for a renewal Class IV malt liquor license.

MOTION: Betty McDermott motioned to approve the liquor license. Seconded by Tim Pomerleau.

VOTE: 4 in favor (McDermott, Pomerleau, McClellan, Bubier) 1 opposed (Brown)

5. Consideration of property tax abatement applications.

a. Map 20, Lot 1

MOTION: Tim Pomerleau motioned to deny the application. Seconded by Michael McClellan.

VOTE: 3 in favor (McClellan, Pomerleau, McDermott) 2 opposed (Brown, Bubier)

6. Consideration to make various appointments.

DISCUSSION: Mrs. Bubier reported that there are only 3 people on the list so far and felt that recruitment might be in order by the Selectmen. Mr. Poore said it was essential that the Board extend the terms of the current Board and Committee members to keep them in place in the interim. Mr. Pomerleau felt it was their decision to keep the Boards and Committees intact until anyone was appointed as a replacement. The Selectmen concurred that this was their intent. Mr. Pomerleau asked that the Selectmen discuss how the Boards and Committees should be made up and then look at their candidates. Mrs. Bubier thought that it would be a good idea to have ad hoc members to the Comprehensive Plan Committee from the Planning Board and the Appeals Board. There was discussion of the Comprehensive Plan reformation. Mrs. Brown wanted new Comprehensive Plan members appointed. Mrs. Bubier asked that the current request for a "report card" from the Comprehensive Plan should be done as soon as possible which should be possible as this request is very non-political. Mr. Poore indicated that the C.O.G. planners will help with this review. Mr. Pomerleau assumed that no new concepts will be added to the Comprehensive Plan at this point but only the Committee's assessment of the Plan is needed. Mr. Poore said he would contract the Committee and find out if they are still interested in the review.

MOTION: Michael McClellan motioned to table appointments until the next meeting. Seconded by Betty McDermott.

VOTE: Unanimous.

7. Consideration of scholastic scholarships (Executive Session).

MOTION: Betty McDermott motioned to go into Executive Session with the Town Manger. Seconded by Tim Pomerleau.

VOTE: Unanimous.

RECESS: Stephanie Bubier recessed the meeting at 8:41 pm.

MOTION: Michael McClellan motioned to re-open the meeting and delay decision of the scholarship awards until the June 2nd meeting because if appeared that some of the scholarship criteria was not distributed by the school. Seconded by Betty McDermott.

VOTE: Unanimous.

8. Communications and other business.

a. Brush Chipper.

DISCUSSION: Nathan White explained that Public Works was now paying \$1500 per month to rent a chipper. The leasing company had offered a five year lease/purchase deal at 9.75% allowing the \$4500 we have already spent against the purchase price. The cost would be \$5400 per year until paid off. Mr. Poore said that if they decided to purchase this machine, he would suggest purchasing it outright and taking advantage of the rental already paid. This machine is a heavy duty diesel 115 horsepower. Mr. White felt that it would be a good purchase because he has to rent a chipper annually for the usual winter damage. He added that this machine would be needed through the summer in any case to finish the storm damage cleanup. He added that the machine would be stored in or next to the garage. Mr. Pomerleau said he had a problem with the "process" and felt this was setting a bad precedent without a bid process and the review of the Budget/Finance Committee. Mrs. Bubier didn't feel that this was a good financial decision. Mrs. Brown thought this would be a good deal and a necessary piece of equipment for the Town to buy. Mr. Poore added that if the Town owned this equipment it would be on hand at any given moment and that it would be invaluable for rights of way cleanup. He continued that the purchase deal was a good one for a heavy duty diesel machine.

b. 19989 CDBG Community Planning Grant.

DISCUSSION: Mr. Poore reported that he received a letter from the DECD congratulating the Town on being included in the second phase of the grant awards process.

c. Landfill Closure.

DISCUSSION: Mr. Poore announced that Raymond has received the final payment from the DEP for the landfill closure on Patricia Ave. The money will go into Surplus.

d. Tower Ordinance Meetings.

DISCUSSION: Mr. Poore noted the Planning Board's next meeting concerning the Tower Ordinance on June 3rd.

e. Property Cards.

DISCUSSION: Mr. Poore noted that Mr. O'Donnell will be taking some property cards to his office to work and if anyone needs to see one of these cards while it is out of the assessors office either a copy can be provided via FAX or by arrangement in kind.

f. Appeals Board Agenda for May 8, 1998.

g. GPCOG Newsletter.

h. Cumberland County Commissioners Minutes for 4/27/98.

i. Town Managers Notes.

1. The next Tassel Top meeting will be 6/24/98.
 2. Paramedic/Firefighter Position candidates are still coming in.
 3. Karen Martin of GPCOG will attend the 6/2/98 Selectmen's meeting to talk about the TIF.
 4. Comprehensive Plan Committee should be getting a report submitted by GPCOG by the end of July for their "report card" work.
 5. Roadrunner newsletter will possibly be edited and published by the Website Committee with more Town news beginning the September '98.
 6. Time-Warner Cable Contract first draft should be ready for the Selectmen to review by late June.
 7. Birchwood Subdivision lots which the Town owns could be sold and the proceeds used to improve the Birchwood road since the subdivision developer has said that he will not finish the road surface. It was also noted that the PNGTS has expressed interest in having a spot on which to put their pipeline valve/monitoring equipment. This might be one of the Town's lots.
 8. Homestead Applications are in and processed. A report will be ready for the June 2nd meeting.
 9. The roadwork will be done with outside help which will be paid through the ice storm funding.
 10. Hazardous Waste Day will be July 18th at Jordan Small School.
 11. Engine 6 sale has received from Frye Island a 10% deposit of \$2800. The lower price of \$28,000 was decided upon because they will pay for our dispatch services separately. The final decision will be made on or before July 1st. Some repairs had to be made on Engine 6 recently.
9. Review and authorize the May 19, 1998 Treasurer's Warrant.

MOTION: Betty McDermott motioned to approve the Treasurer's Warrant in the amount of \$1,573,813.57. Seconded by Tim Pomerleau.

VOTE: Unanimous.

10. Adjourn.

MOTION: Tim Pomerleau motioned to adjourn. Seconded by Ada Brown.

VOTE: Unanimous.

ADJOURNMENT: Stephanie Bubier adjourned the meeting at 9:00 pm.

Respectfully submitted,

Louise H. Lester
Secretary