

Town of Buxton
Minutes for August 2, 2017 Selectmen's Meeting
Prepared by: Beverly Gammon

*Members Present: Chad E. Poitras, Jean C. Harmon, Clifford L. Emery, Mark P. Blier
Dennis P. Santolucito was absent.*

*Others Present: David Harmon, Ellen Pyle, Julie Gamelson, Troy Cline, Peter Gordon, Rich Streeter,
William Ham III, Tonya Ham, Barbara Bickford, Deb Elis*

Public Hearing – 7:00 PM

Liquor License renewal and Special Amusement Permit for William H. Ham III d/b/a Skips Lounge

Selectman Poitras read the hearing notice. Then, the Board opened the meeting at 7:08 PM.

Selectman Poitras invited comments from the public, business owners and associates. Bill Ham III went to the podium and stated that Uber and A.P. Taxi are making their way out here to provide a way for people to get home, and talked about some benefits that Skips does.

Peter Gordon, our Code Enforcement Officer reported that he has not had complaints from abutters and neighbors in the past year. One thing he brought up last year that has not been addressed is that they still do not have fully accessible handicapped bathrooms.

The Police Chief expressed serious concerns about how things have elevated at Skips Lounge over the last two months. Chief Cline went through a long, detailed list of incidents and concerns that include multiple OUI arrests, burglary, vandalism in the parking lot, complaints from citizens that the bar is over-serving and patrons are coming out of the bar so drunk they can hardly stand or walk by themselves, police officers finding a lot of people sleeping in vehicles in the parking lot too drunk to drive, neighbors reporting excessive noise and disruption, bartenders not returning witness statements to the police, behavior resulting in individuals being charged with assault and unlawful sexual touching, female bartenders voicing concerns to police officers that they do not feel safe there, and another incident where Buxton, Gorham and Scarborough Police had to respond to a call for help at the bar because people were "going nuts in there," smashing glass and had chased someone across the street. Two people were charged with assault and criminal threatening. Bartenders told the police they are afraid to cut some people off. Chief Cline stated that he is very concerned with the direction the bar is taking and very alarmed that the police are getting complaints from citizens saying the bar is over-serving. There is an outside smoking/drinking area and the Police Chief has observed patrons outside drinking, smoking and eating in the same area. Chief Cline stated that he is concerned that a lot of promises were made to the Board last year but they were not followed through on. Bill Ham told us he was going to have security staff but Chief Cline stated that on most of the nights these incidents happened there was no security staff and now, after the police have been dealing with this for the last year, Mr. Ham comes in at the 11th hour with more promises.

Chief Cline recommended that the Board not approve this liquor license.

Bill Ham and a man named Noah went to the podium. Noah is from a company called "GuardSafe" that he described as "essentially a staffing agency for bouncers". He talked about what his agency is going to do for Skips. Bill Ham III stated that he (Bill) made everyone get TIPS re-certified and has 6 new hires coming who have been certified as well.

The Selectmen asked questions and expressed their concerns. The Board has heard about Bill's employees being re-certified for the last 3-4 years but the problem does not go away. Selectman Harmon asked questions and pointed out to Bill that the diagram he sent shows a lot of open areas. In the course of reviewing the Fire Chief's report, the Board discovered there is a wrestling ring at Skips. The diagram is incomplete and the wrestling ring is not shown on it. Bill Ham III did not mention any of these other things in his applications last year or in this one. It has been pointed out to the Board that there are bonfires in the outside area and people reported they can see flames up above the fence. The Board is concerned about the safety issue and that fire pit is not listed on the diagram either. The police chief witnessed a pallet on the fire and flames shooting high into the air. According to Mr. Ham a lot of people light the fires, his patrons like to go out and have the fires. Selectman Emery asked when drinking outside the building started and asked when the establishment got permission from the Planning Board to do that. Bill Ham argued that it is all part of the building and not a separate area. Selectman Emery explained it is not part of the building, it is a fenced area outside the building. The Board does not believe this establishment has the right to be serving liquor outside the building. Selectman Emery also stressed that it is a state law that people cannot eat, smoke and drink in the same area. That is not being enforced at Skips Lounge.

Selectman Harmon went over some issues the Fire Chief identified in his inspection and said she hopes Bill Ham III addresses those issues. She asked for a complete diagram, and for Bill to list wrestling and add whatever else is going on to his Special Amusement Permit Application.

Selectman Blier expressed concern about how Bill Ham III is going to be able to afford to keep his security people with the small number of patrons Bill said he has. Bill Ham III said patrons come and go and over the course of a few days he actually has a lot more business. There was more discussion about the ADA compliant issues with the bathrooms.

Selectman Poitras asked if Bill will be entering into a contract with the security company for at least a year. Bill replied that he will.

There were no more questions or comments so the Public Hearing was closed at 7:43 PM

After the hearing closed, there was a brief discussion about how far in advance the Board would like to have liquor license applications. Selectman Emery recommended that if the license is approved, Mr. Ham should meet with the Police Chief on a regular basis.

The Board then moved into the Selectmen's Meeting.

Selectmen's Meeting Agenda

1. Call to Order

Selectman Poitras called the meeting to order at 7:50 PM.

2. Pledge of Allegiance

Selectman Poitras led the recital.

3. Approval of Prior Meeting Minutes

Selectmen's Meeting Minutes for July 26, 2017

Approved 3-0-2

Selectman Poitras was absent from that meeting and Selectman Santolucito was absent from this meeting.

4. Discussion held between 4:00 & 7:00 p.m.

The Board discussed correspondence from Maine D.O.T. about some activity at Scarborough Corner,

Jeremiah Ross from the Planning Board came in to ask if the Board is going to have a Secret Ballot question on the November ballot. The Board is going to bring the marijuana ordinance back to the voters. The Planning Board will be discussing changing the zoning at the doctor's office on Portland Road from rural to commercial so that a professional office such as an attorney or accountant could go in there. They discussed the vacancy on the Planning Board. Several individuals have expressed interest and the Board is waiting for letters from them. Mr. Ross would like to have someone in the position before their next meeting. The Selectmen will work on that. Jeremiah Ross is going to contact Selectman Santolucito to discuss people doing PowerPoint presentations in the large meeting room.

A resident met with the Board to talk about some issues at the Salmon Falls Bridge and in Pleasant Point Park. Selectman Emery stated that the Police Chief had a frank discussion with a group of people at the bridge, the State Police and Maine D.O.T. are becoming more involved on the Hollis side of the Bridge. The Board believes that someone is going to get hurt at the bridge and hopes that things will improve there with the State Police and Maine D.O.T. getting more involved. The Selectmen also expressed concern with people having fires in the park and asked people to please be respectful. The Board does not want to have to shut the park down.

5. Review of Correspondence

- *Email from David Lycette, Utility Coordinator, Maine D.O.T. – Re: Utility Letter #1 Route 22/Portland Rd/Broadturn Rd Intersection*
- *Email from Jessica Rowe, Maine Power Options – Re: System Peak Information*
- *Email from Maine Municipal Association – Re: MMA Property & Casualty Pool Board of Directors Vacancy*
- *State House News Update from Representative Don Marean*
- *Email from our Recreation Director, Nicole Welch – Re: Hiring for Before School Care staff*
- *Email from Maine USDA – Re: Funding Rural Broadband Access Loan and Loan Guarantee Program for Fiscal Year 2017*
- *Notice from Aubuchon Hardware – Re: Fundraising Event for Keep the Heat On Program*
- *Dorcas Fest Saturday, August 5 at the Brewster Mansion, starting at 9:00 AM*
- *Artisan & Craft Fair Saturday, August 5 on lawn at Tory Hill Meetinghouse*
- *Email from resident – Re: Truck Route Sign*

The Selectmen stated that the lights have been disabled and the sign is going to be re-located.

6. Review of Projects and Issues

Selectman Emery reported that he talked with a representative from Great Falls about the addition to the Police Department. Great Falls is putting together the RFP package and is coming in next Wednesday to go over it.

Selectman Harmon stated that she has been dealing with citizen concerns about the Poland Spring sign. She spoke with a man who wanted to know where the Board is with speed limit signs he asked about a while ago. The first round of the Board's project to have old VHS tapes converted to DVDs has been completed by a company in Westbrook and they have taken more tapes to convert.

Selectman Blier reported that he talked with Greg Heffernan about an issue he was having with a resident and coming up with a game plan. Selectman Blier received the traffic count numbers he needed for Comprehensive Plan. He also had a conversation with our Code Enforcement Officer to get up-to-speed on several issues he (CEO) has going right now.

Selectman Poitras reported that people talked with him about concerns with speeding on Old Standish Road, off Parker Farm Road, which he communicated to the Police Chief.

7. Old Business

*Charter Review Committee
Aging in Place – AARP Program*

8. New Business

None

9. Executive Orders

*E.O. 171808003 – An order to approve 8 hours of time off without pay for Krystal Dyer
Approved 4-0-1*

*E.O. 171808004 –An order to approve Kimberly Beam’s attendance at the MMA Annual
Convention
Approved 4-0-1*

*E.O. 171808005 – An order to approve 8 hours of vacation leave for Beverly Gammon
Approved 4-0-1*

*E.O. 171808006 – An order to approve a Poverty Abatement for Case No. PA 17-004
Approved 4-0-1*

*E.O. 171808007 – An order to approve 4 hours of vacation leave for Peter Gordon
Approved 4-0-1*

*E.O. 171808008 – An order to set the Mil Rate for Fiscal Year 2017/18 at \$13.60
Approved 4-0-1*

10. Executive Orders by Initiative

E.O. 171808009 – An order to deny a Poverty Abatement Application for Case No. PA 17-005

11. Accounts Payable and Payroll Warrants

E.O. 171808001 – An order approving expenditures as documented in Accounts Payable Warrant #11

Approved 4-0-1

The amount was \$107,325.63

E.O. 171808002 – An order approving expenditures as documented in Payroll Warrant #8

Approved 4-0-1

The amount was \$51,072.89

12. Next Meeting of the Board

Board of Selectmen Meeting Wednesday, August 9 at 7:15 PM

13. Other Business

The Good Shepherd Food Mobile will be at the Corner of Haines Meadow Road and Long Plains Road Thursday, August 3 from 9:00 AM until 10:30 AM (while supplies last). Anyone in need of food assistance is eligible. Bring your own bags or boxes. For more information, please contact Joann Groder at 207.929.8806.

We are accepting applications for a Laborer/Equipment Operator to work in our Public Works Department. More information is available on the Town's website. If interested, please submit a cover letter and resume to Buxton Board of Selectmen, 185 Portland Road, Buxton, ME 04093, or email selectsecbuxton@sacoriver.net.

There is one vacancy on the Buxton Planning Board. Anyone interested is encouraged to contact the Selectmen, or send a letter of interest to the Buxton Board of Selectmen, 185 Portland Road, Buxton, ME 04093. This position will be effective until June, 2018.

The Board is accepting applications for a Director of Berry Memorial Library. This is a six hour per week paid position that includes evening hours and Saturday coverage. Applications will be accepted until August 4. Please send a cover letter, resume and two references to the Buxton Board of Selectmen, 185 Portland Road, Buxton, ME 04093, or Email: selectsecbuxton@sacoriver.net. If you do not have a cover letter or resume but have experience and interest in this position, we encourage you to apply.

14. Public Comments and Questions

Selectman Emery spoke briefly about the 8.5% reduction in his Property & Casualty insurance premium due to the drop in our ISO Public Protection Class. The savings is Higher on commercial insurance than personal. Selectman Emery thanked the Fire Department for the work they did to make that happen.

Ellen Pyle spoke about the backpack and school supplies donation program in Sanford that will be given to a lot of children who are in need.

15. Executive Session

None

16. Adjournment

Motion made and seconded to adjourn the Meeting at 8:12 PM

Approved 4-0-1