

**Town of Waldoboro, Maine
Board of Selectmen Meeting
Municipal Building
1600 Atlantic Highway
MINUTES
Tuesday, April 26, 2005 6:00 p.m.**

1. Call to Order.

The Board of Selectmen met at the Municipal Building on Tuesday, April 26, 2005 at 6:00 p.m. to conduct town affairs. The meeting was called to order by pro tem Chairman Rebecca Maxwell, with a quorum present.

Members present were Ted Wooster, Ellen Winchenbach, Rebecca Maxwell and Chairman Kathleen Blodgett. Absent was Gordon Webster.

Staff present was Town Manager Lee Smith, Code Enforcement Officer John Black, EMS Director Scott Lash, Police Chief Leroy Jones, Fire Chief Robert Maxcy, Director of Public Works John Daigle, and Administrative Assistant Michael Ducharme.

Residents present were Frank Abel, Delia W. Mohlie, Henry B. Cabot, and Penelope K. Johnston. Also present were Nancy Dail, Bob Grant, Lincoln Davis, William Branigan, Jennifer Merritt, and Mary Ann Beinecke from the Waldoboro Business Association; Norman Golden, Steve Cartwright, Charles Campbell, Elaine B. Abel, Edward Karkow, JoAnn Myers, Terry Gifford, Bill Blodgett, and John D. Morris II from the Land Use Committee; Sara Gallant, Frances B. Creamer, and Ann Creamer representing the Waldoboro Public Library; Andrea Kennedy and Jim Salsman representing Ocean's Bounty Restaurant; John Blamey representing the Community Services Advisory Committee; and Richard Spear a local dairy farmer.

Representing the press was Mike Colbert representing the Lincoln County News and Art Mayers representing the Courier Gazette.

2. Public Hearing(s).

A. Liquor License Applications:

1. Andrea Kennedy, d/b/a Ocean's Bounty Restaurant

Jim Salsman stated the restaurant was requesting a malt license. They will be selling beer along with the seafood product. The beer will be consumed inside the restaurant as well as in the fenced-in area. The restaurant will be open from 11 a.m. to 8 p.m. The anticipated date of opening is June 01, 2005.

On the motion of Wooster / Winchenbach, the Board **VOTED: To approve the application for a new Liquor License (Vote 3-0 Blodgett / Webster absent).**

2. Chinese Jade Corp., d/b/a Chinese Jade Restaurant

No one was present to represent the Chinese Jade Restaurant. Smith noted the Police Department has reviewed this renewal for incidents which may have occurred at this business and they have found no record of any kind hence they recommend the renewal.

On the motion of Wooster / Winchenbach, the Board **VOTED: To approve the application for a Liquor License Renewal for Chinese Jade Restaurant (Vote 3-0 Blodgett / Webster absent).**

3. Gary Hall d/b/a Captain's Fresh Idea

No one was present to represent the Captain's Fresh Idea. Smith noted the Police Department has reviewed this renewal for incidents which may have occurred at this business and they have found no record of any kind hence they recommend the renewal.

On the motion of Winchenbach / Wooster, the Board **VOTED: To approve the application for a Liquor License Renewal for Captain's Fresh Idea (Vote 3-0 Blodgett / Webster absent).**

B. Resolution to Amend the Location of Properties in the Pine Tree Zone

The Town Manager stated all the communities which participate in the Pine Tree Zone must approve any new properties to be added to the Zone by means of public hearing. There are three proposed properties to be included in the Pine Tree Zone. The first is in the City of Rockland referred to as the Sewall Building located at 342 Park St. comprised of approximately 11 acres on which a 57,000 square foot building is located. The second is in the Town of Thomaston which is the Lyman Morse property comprised of approximately 14.79 acres. The third property is in the Town of Waldoboro known as the Osrarn-Sylvania building comprising of approximately 48.3 acres on which an approximately 100,000 square foot building is located.

The benefits of participating in the Pine Tree Zone are:

- An enhanced Employment Tax Increment Financing (ETIF) program that returns a company 80% of the state income tax withholdings of five or more net new qualified employees for up to 10 years;
- A 100% refund of corporate income tax and insurance premium tax for the years one through five and 50% refund for years six through ten;

- Effective July 01, 2005, a 100% sales and use tax exemption for zone-related construction materials and equipment purchase;
- Reduced electricity rates as requested by Central Maine Power and approved by the Public Utilities Commission.

On the motion of Wooster / Winchenbach, the Board **VOTED: To Amend the location of these three properties into the Pine Tree Zone (Vote 3-0 Blodgett / Webster absent).**

3. Approve Consent Calendar.

On the motion of Wooster / Winchenbach, the Board **VOTED: To approve the consent calendar as follows (Vote 3-0 Blodgett / Webster absent):**

- A. Regular meeting minutes – April 12, 2005.**
- B. Warrants & Financial Reports:**
 - 1. General Fund Warrants 41 and 42.
 - 2. Payroll Warrants 41 and 42.
 - 3. Water Department Operating Warrant - #51.
- C. Departmental Reports.**
- D. Mortgage Discharge for Juanita McLean.**
- E. Mortgage Discharge for George Simmons, Sr.**

4. Communications.

A. MMA Executive Committee Nominations.

The Town Manager noted the MMA will be accepting nominations until May 13, 2005 and if anyone was interested in serving as a municipal official on that committee they would need to be nominated by that date.

On the motion of Wooster / Winchenbach, the Board **VOTED: To place this communication on file (Vote 3-0 Blodgett / Webster absent).**

B. Medomak Valley Land Trust re: Payment in Lieu of Taxes.

The Medomak Valley Land Trust is a tax exempt organization in Waldoboro. The Organization has decided to pay back some of their tax savings to the Town in the form of a donation in appreciation of their tax exempt status and help they have received from the Town Office.

On the motion of Wooster / Winchenbach, the Board **VOTED: To accept payment in lieu of taxes by the Medomak Valley Land Trust (Vote 3-0 Blodgett / Webster absent).**

C. Waldoboro Business Association re: Proposed Land Use Ordinance

The Waldoboro Business Association has formed a sub-committee to review the proposed Land Use Ordinance. They found some revisions they would like to make and worked collaboratively with the Land Use Committee to make some of those suggestions a reality. The WBA feels that it would be appropriate to move the vote until November in order for it to be adequately publicized and give enough time to review the document. They also feel that there would be a better turnout for voting in November therefore receiving better input from the Waldoboro voters. Nancy Dail stated there have also been changes to the draft which have only been available to the public for a limited amount of time. The WBA would be available to sponsor open public forums to educate those interested in learning more about the proposed Ordinance.

On the motion of Wooster / Winchenbach, the Board **VOTED: To place the correspondence from the Waldoboro Business Association on record (Vote 3-0 Blodgett / Webster absent).**

D. Valdemar Skov re: PAYT (Pay as you throw)

Valdemar Skov submitted a letter to the Board pleading for the initiation of a 'Pay As You Throw' (PAYT) program for the Town of Waldoboro Transfer Station. A PAYT program would require Transfer Station patrons to purchase special bags for their refuse in order to deposit them in the Transfer Station compactor. The idea behind this program is to encourage recycling (customers will put less recyclable materials into the regular trash in order to save money on bags) and to increase the revenue of the Transfer Station.

Terry Gifford voiced she is against pay as you throw. She feels the people of Waldoboro are burdened with the school taxes, library, and property taxes going up, and she does not feel this is the proper time to initiate this program. She is, however, in agreement with raising the fee for some of the items that are taken to the transfer station. Gifford commented one dollar per tire is way too cheap and some of the businesses in town are taking advantage of this. They change a tire and charge the customer \$4 to \$5 to dispose of the tire, then bring it to the transfer station and pay only \$1. There is a lot of construction in the Town of Waldoboro and the transfer station is being used a lot for commercial instead of for the average Waldoboro taxpayer. A lot of these contractors are not paying taxes in the town. She would like to see the transfer station benefit the average Waldoboro taxpayer and have the contractors pay more.

On the motion of Winchenbach / Wooster, the Board **VOTED: To place the PAYT communication on file for further discussion (Vote 4-0 Webster absent).**

5. Committee & Departmental Reports.

A. Ed Karkow, Chair of Land Use Committee re: Revised Land Use Ordinance.

Ed Karkow was present to represent the Land Use Committee (LUC) which has been meeting for about 2 years in this 'cycle' of the Committee. He feels there is really no secret in the Town of Waldoboro to encourage business and see them prosper. He stated there are two things we can do to accomplish this goal. One is to make the tax situation better, and the other is to make the most attractive town that we can make. If we could lower the taxes in Waldoboro, and have no building restrictions, we would probably have an unattractive town. In other words, we would not attract businesses or residents in his opinion. What we need to do is have some control and guidelines over growth. With this we will need to have trade-offs. The LUC has tried to come up with an Ordinance that all can be satisfied and they can feel that they have done a fair job representing the Town of Waldoboro. Certain things had to be done, like the Wellhead Protection, specifically for the protection of the townspeople, but even that was a contentious issue due to the homes and businesses around there. There were 19 people on the board which represented a good cross section of the population of the Town, but not everyone will understand the new ordinances. Aiming to vote on the Ordinance at the June Town Meeting (it was originally scheduled for last November), they have a 2-3 page letter that could be sent to all voters in Waldoboro to help them understand the proposed Ordinances. There is also a 3 page addition to the Ordinance which lists changes from the January revision. They feel there is no need to postpone the vote any longer because it can be changed or adjusted at any Town Meeting in the future if needed.

Bill Blodgett added that this process has been going on for years, though it has only peaked the interest of some citizens recently.

Nancy Dail commented that although the LUC has been working on this project for years, it has only been in print in it's entirety since late February. Their suggestion to have the vote in November is for the good of the town. They also feel that November is a better month because people are accustomed to going to the polls in November.

Steve Cartwright stated this ordinance is based wholly on the comprehensive plan approved by the voters in 1998.

B. Meet with Henry Cabot re: Pine St. Property.

About two years ago the property was divided up, by Drew Grainer from Cornerpost Survey, into two sections. The first is the four buildings above the flood plain. He is proposing to sell to the town the second half which is shoreline property in the flood zone which connects two existing town-owned properties (one to the north and one to the south). He would donate some of the proceeds

of the sale to make the area more public friendly.

Blodgett would like to take a field trip at the next meeting to examine the property and assess its value to the Town.

On the motion of Wooster / Maxwell, the Board **VOTED: To visit the property at the next meeting (Vote 4-0 Webster absent).**

C. Meet with Dick Spear re: Use of Quarry Hill property for farm use.

Local dairy farmer Dick Spear would like to use the Quarry Hill field to plant corn and work the field. He feels the work he does to the property will increase its value providing a mutually beneficial situation. His plans are to work the property for a 5 (five) year period, and at that time, re-approach the Board of Selectmen for a renewal at their discretion. He would like to start working the land mid May.

On the motion of Wooster / Maxwell, the Board **VOTED: To take the proposal to allow Dick Spear to farm the Quarry Hill field under advisement until the next meeting (Vote 4-0 Webster absent).**

6. Official Action.

A. Act on Land Use Ordinance (set dates for public hearing)

Winchenbach does not feel comfortable putting the proposed Land Use Ordinance on the Warrant for Town Meeting, but feels it should be voted on in June. She would rather put it to referendum in June when the school budget is voted for.

Maxwell feels there would be more voters at Town Meeting then in November because there are no other items on the ballot scheduled for the November vote. As such it would be an added expense for the Town.

On the motion of Wooster / Maxwell, the Board **VOTED: To tentatively set a date for a public hearing on the proposed Land Use Ordinance on May 10, 2005 and decide when the public will vote on this item after the public hearing (Vote 4-0 Webster absent). *The actual date for the public hearing was set for May 24, 2005 at 7:00 p.m. at Miller School due to the short amount of time for preparation.***

B. Act on Hazard Mitigation Plan

The Hazard Mitigation Plan was developed through the Lincoln County Emergency Management Agency and is required by the Federal Government to obtain funding for future disasters. The County Commissioners and several other towns have already signed off on the plan.

On the motion of Winchenbach / Wooster, the Board **VOTED: To adopt the Hazard Mitigation Plan (Vote 4-0 Webster absent).**

C. Act on request for a Pole Location Permit

A request for a pole location Permit on Orffs Corner Rd. has been received. This type of request is generally approved by the Selectmen.

On the motion of Wooster / Maxwell, the Board **VOTED: To approve the request for a pole location permit on Orffs Cor Rd. (Vote 4-0 Webster absent).**

D. Act on Street Address Name Change

A request for a street address name change off the Bremen Rd. was received from Paul Smeltzer. The name he would like to use is West Ridge. It is the name which is currently on all the paperwork he has accumulated during the land and home buying process.

On the motion of Maxwell / Wooster, the Board **VOTED: To accept the Street Address Name Change as requested and name the street West Ridge (Vote 4-0 Webster absent).**

E. Act on 2006 Municipal Budget

Please see attached table.

7. Executive Session(s).

On the motion of Maxwell / Wooster, the Board **VOTED: To convene in executive session at 9:55 p.m. to discuss Philbrook Fund Applications and discuss a personnel issue (Vote 4-0 Webster absent).**

A. Discuss a Personnel Issue

The Board of Selectmen discussed the personnel issue and took no action at this time.

B. Convene as Philbrook Fund Trustees to act on:

1. Philbrook Fund Application #04-TBA

On the motion of Winchenbach / Wooster, the Board **VOTED: To deny the request for assistance (Vote 4-0 Webster absent).**

2. Philbrook Fund Application #04-TBA

On the motion of Maxwell / Wooster, the Board **VOTED: To deny the request for assistance (Vote 4-0 Webster absent).**

On the motion of Maxwell / Winchenbach, the Board **VOTED: To reconvene in regular session at 10:10 p.m. (Vote 4-0 Webster absent).**

8. Adjourn.

On the motion of Maxwell / Wooster, the Board **VOTED: To adjourn at 10:10 p.m. (Vote 4-0 Webster absent).**

Michael C. Ducharme
Administrative Assistant

Kathleen M. Blodgett
Chairman

Rebecca B. Maxwell

Gordon E. Webster

Theodore M. Wooster

Ellen A. Winchenbach

Board of Selectmen
Waldoboro, Maine

Proposed 2006 Municipal Budget Adjustments				
Account	Explanation	Amount	Motioned By	Vote (Webster Absent)
General Property Taxes			Wooster / Maxwell	(4-0)
Automobile Excise Tax	Appropriate 5% Holdback	\$36,530		
Watercraft Excise Tax	Appropriate 5% Holdback	\$550		
Other Revenues			Wooster / Maxwell	(4-0)
Utilization of Fund Balance	Increase the Surplus Appropriation	\$6,484		
Office of the Selectmen			Maxwell / Wooster	(4-0)
Training & Educational Materials	Eliminate Officials Workshop	(\$125)		
Printing & Binding	Delete Semi-annual Newsletter	(\$1,360)		
Office of the Town Clerk			Maxwell / Winchenbach	(4-0)
Books & Publications	Eliminate Town Clerk Workshop	(\$1,500)		
Emergency Medical Services			Maxwell / Wooster	(4-0)
Training & Educational Materials	Reduce funding for EMT Training 50%	(\$680)		
Training & Educational Materials	Reduce Funding for continuing ED 50%	(\$350)		
Police Department			Maxwell / Wooster	(4-0)
Equipment Maintenance	Software Maintenance from Equip Reserve	(\$3,000)		
Books & Publications	Eliminate Second set of State Statutes	(\$800)		
Community Services Department			Maxwell / Wooster	(4-0)
Part-time Employees	Eliminate Secretarial Services	(\$2,576)		
Part-time Employees	Eliminate Summer Director Position	(\$2,033)		
Telephone	Eliminate Office Phone (Use Cell Phone)	(\$480)		
Community Service Agencies			Maxwell / Winchenbach	(4-0)
Waldoboro Public Library	Increase Library Contributions	\$30,782		
Capitol Improvement Program			Wooster / Winchenbach	(4-0)
Police Equipment Reserve	Eliminate Appropriation for Police Cruiser	(\$19,550)		
Highway Construction Reserve	Reduce Appropriation to Reserve	(\$9,684)		
TOTAL ADJUSTMENTS		(\$54,920)		