

**Town of Waldoboro, Maine
Board of Selectmen Meeting Minutes
Municipal Building
1600 Atlantic Highway
Tuesday, June 28, 2005 6:00 p.m.**

1. Call to Order.

The Board of Selectmen met at the Municipal Building on Tuesday, June 28, 2005 at 6:00 p.m. to conduct town affairs. The meeting was called to order with a quorum present.

Members of the Board present were Rebecca Maxwell, Theodore Wooster, Ellen Winchenbach, Delia Mohlie, and Chairman Carleton Johnson.

Staff present was Town Manager Lee Smith, EMS Director Scott Lash, and Administrative Assistant Michael Ducharme.

Also present was Jennifer Merritt of the Waldoboro Business Association.

Residents present were Eva McLain, Kyle Santheson, and Russell and Monica Luce.

Representing the press was Michael Colbert from the Lincoln County News.

A. Election - Chairperson, Board of Selectmen

On the motion of Maxwell / Wooster, Carleton Johnson was nominated and duly elected as Chairman of the Board of Selectmen for the ensuing municipal year (Vote 4-0 Johnson abstained).

B. Election - Chairperson, Board of Assessors

On the motion of Wooster / Winchenbach, Delia Mohlie was nominated and duly elected as Chairman of the Board of Assessors for the ensuing municipal year (Vote 3-0 Mohlie and Maxwell abstained).

2. Citizen Comments. (for items not on the agenda).

None.

3. Public Hearing(s).

None.

4. Approve Consent Calendar.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To approve the consent calendar as follows (Vote 5-0):**

- A. Regular meeting minutes - June 14, 2005.**
- B. Warrants & Financial Reports:**
 - 1. General Fund Warrants 50 and 51.
 - 2. Payroll Warrants 50 and 51.
 - 3. Water Department Operating Warrant - #53.
 - 4. Water Department Capital Warrant - #TBA.
- C. Departmental Reports.**

5. Communications.

A. Nathan Nichols RE: Property Zoning

Nathan Nicholls of 483 Bremen Rd. would like to have his land removed from the newly adopted Residential District (adopted by Town Meeting June 16, 2005). He feels the new district designations are unjustifiably discriminatory and in violation of the United States Constitution and the Constitution of Maine.

On the motion of Wooster / Winchenbach, the Board **VOTED: To refer this correspondence to the Planning Board for recommendations (Vote 5-0).**

B. MaineDOT RE: Gateway One Phase Two

A letter from the Maine Department of Transportation states that all 21 of the affected communities have signed the Gateway One Memorandum of Understanding. Phase two of this project would entail gathering updated data on economic and travel trends and work with the people (a panel of 7 – 15 people recruited by the Selectmen of each town) throughout the Route One Corridor to develop potential scenarios for the future. This phase is anticipated to take two years to complete.

On the motion of Mohlie / Maxwell, the Board **VOTED: To empower the Town Manager to solicit interested parties for this panel using the media, town website, and contact the various boards and committees within the town (Vote 5-0).**

C. MMA Accident Insurance for Volunteers

The Maine Municipal Association is offering accident insurance to our volunteer (unpaid) employees at an annual cost of \$3.75 per volunteer. The medical expense benefit would be \$25,000 per accident, the death and dismemberment benefit would be \$2,500 per accident, and the dental expense benefit would be \$900 per incident.

On the motion of Winchenbach / Maxwell, the Board **VOTED: Not to participate in the MMA Accident Insurance for Volunteers (Vote 5-0).**

6. Committee & Departmental Reports.

None.

7. Official Action.

A. Act on Board and Commission Appointments

1. Planning Board
2. Board of Appeals
3. Shellfish Conservation Commission

The Town did not advertise for volunteers on these positions due to the possibility that town meeting could have made two of the three positions elected rather than appointed.

Johnson stated given the heightened interest in how the Board goes about appointing and re-appointing these positions it would be best to continue with the interview process as usual by advertising and soliciting for volunteers. Previously serving on the Boards may give a candidate an edge but should not guarantee them the position.

On the motion of Johnson / Wooster, the Board **VOTED: To follow the format as in the previous years and solicit for likely candidates using the media and extend the commissions of those whose terms are expiring for the Planning Board, Board of Appeals, and the Shellfish Conservation Commission until the new members are selected (Vote 5-0).**

4. Investment Committee (Ad-hoc)

The Board agreed to solicit for appropriate volunteers and consider the appointments at the next Selectmen's meeting.

B. Confirm Staff Appointments for Ensuing Municipal Year

1. Town Manager's Appointments (see list attached)

On the motion of Maxwell / Wooster, the Board **VOTED: To approve the Town Manager's appointments for the ensuing municipal year (VOTE 5-0).**

2. Registrar of Voters (Linda E. Perry)

On the motion of Maxwell / Wooster, the Board **VOTED: To appoint Linda E. Perry as Registrar of Voters for the ensuing municipal year (VOTE 5-0).**

3. Assessor's Agent (Darryl L. McKenney)

On the motion of Wooster / Maxwell, the Board **VOTED: To appoint Darryl L. McKenney as the Assessor's Agent for the ensuing municipal year (VOTE 5-0).**

C. Confirm appointment of Recreation Director

On the motion of Mohlie / Maxwell, the Board **VOTED: To convene in executive session at 6:36 p.m. to discuss the appointment of the Recreation Director (Vote 5-0).**

On the motion of Mohlie / Wooster, the Board **VOTED: To reconvene in regular session at 6:46 p.m. (Vote 5-0).**

On the motion of Mohlie / Wooster, the Board **VOTED: To approve the appointment of Kyle Santheson conditionally upon the receipt of a background check and a medical examination (Vote 5-0).**

D. Act on Bid Awards

1. Culverts.

Bids for culverts which will be installed this summer have been received. The culverts will vary in length from 12 feet to 24 feet and in diameter from 12 inches to 36 inches. Alternate 1 bids would also include the coupling bands needed to join multiple culverts together.

	Alternate 1, Alum Metal Culvert	Alternate 2, Poly Culvert
WH Shurtleff Co.	\$37,375.69	\$23,773.00
EJ Prescott, Inc.	\$41,090.30	\$22,959.20
Viking, Inc.	\$37,893.40	\$24,814.00
Paris Farmers Union	\$36,636.07	\$20,418.88

On the motion of Maxwell / Wooster the Board **VOTED: To empower the Town Manager to award the culvert bid to the low bidder after consulting with the Public Works Director and clarifying the bids (Vote 5-0).**

2. Ambulance Billing Software.

	Software Cost	Annual Support
SweetSoft	\$14,000	\$1,200
Pinpoint Technologies	\$10,000	?
Edimis	\$7,200	\$1,795
RAM Software Solutions	\$6,865	\$1,150

Director of EMS Scott Lash recommends RAM Software Solutions because it is not only the least expensive, but also the best program he and his staff have reviewed.

On the motion of Johnson / Wooster, the Board **VOTED: To accept the recommendation of EMS Director Scott Lash and award the Ambulance Billing Software to RAM Software Solutions (Vote 5-0).**

3. Diesel Fuel & Heating Oil (pending).
4. Paving Bid (pending).
5. Bulldozer repairs/replacement (pending).

E. Act on Account Balance Transfers.

There is an estimated police department operating budget balance of \$23,848. The Town Manager recommends transferring a portion of this amount to the capitol reserve fund for the future replacement of a police cruiser in the amount of \$19,550 which was deleted from the FY06 municipal budget due to LD1 tax limitations.

There is also an estimated planning and development operating budget balance of \$17,000. The Town Manager recommends transferring that amount to the Planning Reserve Fund for future use in updating the comprehensive plan, land use ordinance, and for economic development. He also noted that the Town spent over \$20,000 this year for work associated with the new land use ordinance.

On the motion of Winchenbach / Wooster, the Board **VOTED: To transfer the recommended police department operating budget surplus amount of \$19,550 to the Police Cruiser Reserve Fund and the planning and development operating budget surplus amount of \$17,000 to the Planning Reserve Fund (Vote 4-1 Mohlie opposed).**

F. Act on Guaranteed Annual Tonnage Trading Request Application.

The Municipal Review Committee, Inc of Bangor, Maine manages and oversees the Penobscot Energy Recovery Company (PERC) contract administration for charter members. Each year the contracts provide for a Guaranteed Annual Tonnage (GAT) Trading Period which begins April 21, 2005 and ends on August 1, 2005. Our GAT is currently 3,400 tons. We were shipping an average of 3,669 tons last year to PERC and we budgeted 3,920 tons. The recommendation of the Town Manager is to increase our GAT to 3,800 tons. The Town Manager noted that under certain circumstances PERC could refuse any tonnage over our GAT.

On the motion of Johnson / Maxwell, the Board **VOTED: To set the GAT at 3,800 and authorize the Town Manager to sign the Guaranteed Annual Tonnage Trading Request Application (Vote: 5-0).**

G. Act on Adelphia Franchise Transfer Agreement.

Time Warner NY Cable LLC has entered into an agreement with Adelphia Communications Corporation to purchase the cable system serving our community. Several communities are joining together to hire joint legal counsel to represent them in the transfer.

On the motion of Wooster / Maxwell, the Board **VOTED: To join the consortium of towns to hire joint legal counsel to represent the town in the transfer from Adelphia Communications Corporation to Time Warner NY Cable LLC (Vote: 5-0).**

H. Act on request to name a new road off Friendship Rd - Requested Marble Oaks Drive or Sara Lane.

Currently there is a Marble Drive, but no roads that have Sara in the name.

On the motion of Mohlie / Maxwell, the Board **VOTED: To grant the road name request of Sara Lane (Vote 4-1 Winchenbach opposed).**

8. Executive Session(s).

On the motion of Wooster / Maxwell, the Board **VOTED: To convene in executive session at 7:26 p.m. to hear a complaint against the police department (Vote 4-0 Maxwell absent).**

On the motion of Wooster / Mohlie, the Board **VOTED: To reconvene in regular session at 8:25 p.m. (Vote 4-0 Maxwell absent).**

On the motion of Mohlie / Johnson, the Board **VOTED: To investigate mediation services for the parties and to recommend that the parties survey and mark their boundaries (Vote 4-0 Maxwell absent).**

9. Adjourn.

On the motion of Wooster / Winchenbach, the Board **VOTED: To adjourn at 8:30 p.m. (Vote 4-0 Maxwell Absent).**

Michael C. Ducharme
Administrative Assistant

Carleton E. Johnson
Chairman

Rebecca B. Maxwell

Theodore M. Wooster

Ellen A. Winchenbach

Delia W. Mohlie

Board of Selectmen
Waldoboro, Maine