

Town of Waldoboro, Maine
Board of Selectmen Meeting Minutes
Municipal Building - 1600 Atlantic Highway
Tuesday, September 13, 2011 – 6:00 p.m.

1. **Call to Order** - This meeting was called to order by Chairman Clinton Collamore at 6:00 p.m. with a quorum present. Other members present were Steve Cartwright, Rebecca Maxwell, Ted Wooster, and Craig Cooley.

Others Present - Town Manager John Spear, Finance Director Eileen F. Dondlinger, Fire Chief Paul Smeltzer, Police Chief William Labombarde, Officer Jeremy Joslyn, and residents John W. Higgins, Charles Campbell, Patricia Chapman, and Eva McLain.
2. **Adjustments to the Agenda** - Item 7.6 was added to the original agenda.
3. **Citizen Comments (For items not on the agenda)** - John Higgins was present with comments regarding an ad-hoc committee to review employee insurance.
4. **Town Manager's Report** - The Town Manager:
 - noted that starting this week he is in the office full-time,
 - reminded the Board of a Union Negotiation meeting Thursday, September 15, 2011,
 - reported a significant portion of the budgeted \$6,000 for legal fees has been expended with the labor negotiator and with the voting method lawsuit and anticipates the line will be overspent,
 - informed the Board that he has asked the Police and Fire Chiefs to look into the need of a Fireworks Ordinance regarding agenda item 5.3.1.
5. **Consent Calendar** - On the motion of Maxwell / Cartwright, the Board voted 5-0 to approve the consent calendar as follows:
 - 5.1. **Approve Meeting Minutes for 08/23/11.**
 - 5.2. **Financial Warrants & Reports:**
 - 5.2.1. Treasurer's Warrants #8, 9, and 10.
 - 5.2.2. Payroll Warrants #8, 9, and 10.
 - 5.2.3. Waldoboro HRA Operating Warrant # 19/2011.
 - 5.2.4. Waldoboro Water Department 08/11.
 - 5.2.5. Financial Reports - None.
 - 5.3. **Correspondence:**
 - 5.3.1. Ray Perkins re: Fireworks Ordinance.
 - 5.3.2. John Buxton, MaineDOT re: Scour Critical Bridge Classification.
6. **Old Business:**
 - 6.1. **A.D. Gray Request for Proposal Deadline Extension** - The original deadline for the A.D. Gray RFP has passed without any proposals received. It is of the opinion of the Planning & Development Director to repost the RFP.

On the motion of Cartwright / Maxwell, the Board voted 5-0 to extend the deadline for the A.D. Gray Request for Proposals until December 31, 2011

- 6.2. Proposed Amendments to the “Town of Waldoboro Land Use Ordinance”** - These proposed amendments are housekeeping items designed to eliminate some redundancy and take a step towards simplifying the site plan review process for applicants.

On the motion of Cooley / Wooster, the Board voted 5-0 to place these proposed amendments to the Town of Waldoboro Land Use Ordinance on the referendum ballot for November 8, 2011.

- 6.3. Water Department Rural Development Bond Refinancing** - Due to the open court case regarding the legality of the open town meeting voting method, the Town could not obtain a “clean” bond counsel opinion to secure the bond. Assuming interest rates do not change, and this bond is refinanced in the spring, this delay will cost the Town around \$29,000.

On the motion of Wooster / Cooley, the Board voted 5-0 to place the Water Department Rural Development Bond Refinancing approval question on the referendum ballot for November 8, 2011.

- 6.4. Tax Anticipation Borrowing** - Should the Town need to borrow to pay school / county tax this fall, the Finance Director recommends we borrow against our Capital Reserve funds and pay ourselves back at the interest rate quoted by The First, N.A. for borrowing (1.54%).

On the motion of Cooley / Maxwell, the Board voted 5-0 to authorize the Finance Director to borrow against the Capital Reserve Fund as needed for payment of school and county taxes to be repaid with 1.54% interest.

7. New Business:

- 7.1. Lincoln County Budget Advisory Committee** - The Lincoln County Advisory Committee is holding a caucus on September 22, 2011 at 7:00 p.m. The presence of all selectmen appears to be required by law.

- 7.2. Reimbursement Check from Kennebec County Sheriff’s Office** - The Town has received a check in the amount of \$18,000 from Kennebec County as reimbursement (3rd year) for Maine Criminal Justice Academy training costs for Officer Michel Dutil, who has taken a position with their department.

On the motion of Maxwell / Cartwright, the Board voted 5-0 to place these funds in the Police Department Reserve Fund.

- 7.3. Lower Falls Anadromous Fish Passage Enhancement (Sam Chapman)** - There is a large bottle neck at the lower falls and the majority of fish cannot make it up the

falls. DMR has approved the removal of a section of ledge less than 5 cubic feet. The Davis Trust also would like to move the fish counting station further upstream which would require some testing to make sure the area would be a viable location for the station.

On the motion of Wooster / Cartwright, the Board voted 5-0 to approve testing of the area behind the VFW where the fish counting station may be moved to.

- 7.4. Request for Right-of-Way through Town Forest Property** - Timothy and Michelle Winchenbach have requested right-of-way access across the Town Forest property to gain access to their property (501 Atlantic Hwy).

On the motion of Wooster / Cooley, the Board voted 4-1 (Cartwright opposed) to table this item until the Town Manager can gather more details.

- 7.5. Transfer Station Committee Membership / Appointment** - The Transfer Station Committee is requesting an increase in membership from 9 to 10 members in order to accommodate a Friendship resident. The consensus of the Board was to retain a 9 member Committee since this group's functionality is limited to Ordinance revisions and pay-per-bag research and recommendations. If another Committee needs to be formed in order to comply with the new Ordinance, other members can be appointed at that time.

- 7.6. Accept Resignation from Misty Gorski as Planning & Development Director** - The Town Manager informed the Board that Misty Gorski had resigned her position as Planning & Development Director effective September 23, 2011. The general consensus of the Board was to hold off on posting this position at this time and have the Town Manager explore possible alternatives regarding the provision of code enforcement and planning and development services.

- 8. Executive Session(s)** - On the motion of Maxwell / Cooley, the Board voted 5-0 to convene in Executive Session at 7:22 p.m. pursuant to 1 M.R.S.A. §405(6)(F) as Philbrook Fund Trustees to discuss applications #12-04 and #12-05.

On the motion of Maxwell / Cartwright, the Board voted 5-0 to resume regular session at 7:34 p.m.

On the motion of Cooley / Maxwell, the Board voted 5-0 to approve Philbrook Fund application #12-04.

On the motion of Wooster / Cooley, the Board voted 5-0 to deny Philbrook Fund application #12-05.

- 9. Adjourn** – On the motion of Wooster / Cartwright, the Board voted 5-0 to adjourn at 7:35 p.m.

Board of Selectmen:
Town of Waldoboro, Maine

Clinton E. Collamore, Chairman

Steve Cartwright, Vice-chair

Rebecca B. Maxwell

Respectfully submitted,

Theodore M. Wooster

Liam D. Ducharme

Craig E. Cooley