

Town of Waldoboro, Maine
Board of Selectmen / Budget Committee Meeting Agenda
Municipal Building - 1600 Atlantic Highway
Tuesday, March 27, 2012 – 5:30 p.m.

1. **Call to Order - Board of Selectmen:** This meeting was called to order by Chairman Steve Cartwright at 5:30 p.m. with a quorum present. Other members present were Rebecca Maxwell, Ted Wooster, and Craig Cooley.

Others Present: Town Manager John Spear, Deputy EMS Director Michael Poli, REC / EMA Director Kyle Santheson, Assistant Fire Chief Bill Maxwell, Fire Lieutenant John Blodgett, EMS Director Richard Lash, Town Clerk Linda Perry, Assessors' Agent Darryl L. McKenney, Steve Nutter, John W. Higgins, Hans Nicolaisen, Jonathan Perry, Carol A. Blodgett, Wanda Collamore, Sam Baldwin, and Carl Cunningham.

2. **Public Hearings - None.**
3. **Adjustments to the Agenda - None.**
4. **Citizen Comments - None.**

5. **Town Manager's Report** - The Town Manager reported:

- In the consent calendar is a copy of a letter from Gregory A. Dufour, President and CEO OF Camden National Bank, to Chief LaBombarde expressing appreciation for the efforts of the Waldoboro Police Department responding to the recent attempted robbery at CNBs Waldoboro location. I think we should all be quite proud of the Department.
- Six contractors attended the site visit but only two bids were received for the demolition of AD Gray on March, 23. The bids were as follows:

AD GRAY Demolition Bids		
	G.C. Hall and Sons	Plummer Excavation
Main Building	\$122,700	\$397,000
White House (former library)- Alt 1	\$12,000	\$30,500
Small Wood Frame Bldg - Alt 2	\$5,550	\$7,800
Total	\$140,250	\$435,300
Add asbestos removal @ \$25,000		
Add Demolition Impact Survey \$1,540		
	\$166,790	

- Waldoboro Transfer Station Committee will hold a public hearing at 7:00 PM, Thursday, April 5, 2012 at the Waldoboro Municipal Building, 1600 Atlantic Highway, Waldoboro, ME. The purpose of the hearing is to receive public comment from residents of Waldoboro, Friendship and Cushing regarding
 - a proposed ordinance titled Waldoboro Solid Waste Disposal and Required Recycling Ordinance, and

- a proposed Amended and Restated Municipal Services Agreement (MSA), which governs the cooperative efforts of Waldoboro, Friendship and Cushing to dispose of solid waste.

The draft ordinance and MSA may be found at the Town of Waldoboro's website (www.waldoboromaine.org). Copies are also available for inspection at the town offices in Waldoboro, Friendship and Cushing. The Transfer Station Committee will accept written comments submitted prior to April 5, 2012. This public hearing is not required by law, but is something the committee is doing on its own initiative and in a time frame that will allow changes to be made if warranted. As you know they are anticipating that you will put the ordinance and the MSA on the June 12th warrant.

- A Selectmen meeting will be scheduled for April 3 starting at 5:30 p.m. if there is any regular business needing to be acted upon.
- He has done some research regarding river herring issue. The latest information is that DMR is not going to allow any harvesting this year in the Medomak. That includes both Alewives and Blue Back Herring. DMR also noted that the town should still send a letter to the DMR Commissioner prior to April 20 persevering it rights to harvest even though the town won't be able to exercise those rights.
- Nomination papers for Town Officers are now available at the town office. They need to be turned in to the Town Clerk before 5:00 P.M. on Monday, April 30, 2012. Three Selectmen, two MSAD/RSU 40 Directors, three Budget Committee Members and two Utility District Trustees terms are expiring.
- He would like to discuss plans for finalizing the town meeting warrant on April 10. There has been some discussion regarding the budget categories on the warrant, specifically whether to return to the way the town used to categorize budget articles grouped as General Government, Public Safety, Community Services, etc. or to continue with all the separate departments. This discussion should happen on the April 3 meeting.

6. Consent Calendar - On the motion of Maxwell / Wooster, the Board voted 4-0 to approve the consent calendar as follows:

6.1. Approve Meeting Minutes for March 13, 2012.

6.2. Financial Warrants & Reports:

6.2.1. Treasurer's Warrants #37 & 38.

6.2.2. Payroll Warrants #37 & 38.

6.2.3. Waldoboro HRA Operating Warrant - 3/2012.

6.2.4. Waldoboro Water Department Operating Warrant - None.

6.2.5. Financial Reports - None.

6.3. Correspondence:

6.3.1. Letter from Camden National Bank re: Attempted Robbery.

6.4. Quitclaim Deed(s) for Payment of Taxes - None.

7. Old Business:

7.1. Town Manager Contract Renewal - On the motion of Wooster / Maxwell, the Board voted 4-0 to approve the Town Manager Contract Renewal.

8. New Business:

- 8.1. Authorize Refinancing of 2003 Water Department Bond** - On the motion of Wooster / Maxwell, the Board voted 4-0 to adopt the following resolutions for the refinancing of the 2003 Water Department Bond:

TOWN OF WALDOBORO, MAINE
BOARD OF SELECTMEN
2012 GENERAL OBLIGATION BOND
\$1,084,653.30

RESOLUTIONS

WHEREAS, the voters of the Town of Waldoboro, Maine (the "Municipality"), approved the issuance of up to \$1,147,771.63 of the Bonds of the Municipality at a Town Meeting duly called and held on November 8, 2011 pursuant to Maine law to provide funding for the purpose of refinancing a November 12, 2003 bond issued to the United States of America to finance the costs of acquiring assets of the Waldoboro Water Company and financing improvements and upgrades to the water system in the Town, including, but not limited to developing a new water source, constructing new pumping stations, water mains and storage facilities and to comply with the requirements of the Safe Drinking Water Acts more particularly described in the Town Meeting approvals, (the "Project"); and

WHEREAS, the Board of Selectmen of the Municipality desire that General Obligation Bonds of the Municipality be used to finance the cost of such Project; and

WHEREAS, the Board of Selectmen of the Municipality desire to authorize the issuance of \$1,084,653.30 of the Municipality's General Obligation Bonds (the "Bond" or "Bonds") and the sale of such Bonds to the Maine Municipal Bond Bank (the "Bond Bank") for inclusion in its 2012 Spring Issue;

NOW THEREFORE, it is voted and resolved by the Board of Selectmen of the Municipality as follows:

VOTED: That pursuant to law the Municipality is hereby authorized to borrow up to the aggregate principal amount of One Million Eighty-Four Thousand Six Hundred Fifty-Three Dollars and Thirty Cents (\$1,084,653.30) from the Bond Bank and execute and implement a Loan Agreement with the Bond Bank in substantially the form provided by the Bond Bank to provide financing for the Project. The Chairman of the Board of Selectmen, or the Treasurer, either singly, is authorized to execute and deliver the Loan Agreement; and

FURTHER
VOTED: Pursuant to the Loan Agreement, there is hereby authorized the issuance and sale of interest bearing General Obligation Bonds of the Municipality up to the aggregate principal amount of One Million Eighty-Four Thousand Six Hundred Fifty-Three Dollars and Thirty Cents (\$1,084,653.30) for the Project (the "Bonds"). The proceeds of the Bonds shall, without limitation, be used to cover the capital costs of the Project,

refund outstanding temporary obligations of the Municipality previously issued to cover costs associated with the Project.

FURTHER

VOTED:

The Bonds shall bear such date or dates as the purchaser shall request, mature at such date or dates, bear such interest rate or rates, be in such denominations, and be redeemable at such price or prices, all as may hereafter be determined by the Treasurer, and the Chairman of the Board of Selectmen, the execution of the Bonds to be conclusive evidence of their determination of the terms and provisions thereof; and

FURTHER

VOTED:

Each of the Bonds shall bear on its face the words "Town of Waldoboro, Maine" and "General Obligation Bond" and shall be signed by the Treasurer and municipal officers. Each of the Bonds shall be in substantially the same form as the specimen bond attached as an exhibit to the Loan Agreement; and

FURTHER

VOTED:

The Bonds shall be sold at the par value thereof to the Bond Bank in Augusta, Maine; and

FURTHER

VOTED:

The Municipality hereby covenants to take all lawful action necessary to comply with those provisions of the Internal Revenue Code of 1986, as amended, that except for such compliance, would affect adversely the excludability of interest on the Bonds from gross income for federal income tax purposes, and to refrain from taking any action that would cause the interest on the Bonds to become included in such gross income; and without limiting the generality of the foregoing, specifically covenants and certifies that no part of the proceeds of the issue and sale of such Bonds, including any notes or bonds in renewal thereof, shall be used, directly or indirectly, in such manner as to cause the Bonds to be "private activity bonds" or "arbitrage bonds" within the meanings of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended; and

FURTHER

VOTED:

The Municipality covenants to pay when due interest on the outstanding indebtedness of the Municipality incurred or assumed for Municipal purposes; and to pay or provide for the payment of all indebtedness created or assumed by the Town; and

FURTHER

VOTED:

All actions taken to date by the Board of Selectmen and the officers of the Issuer with respect to the authorization and sale of the Bonds are hereby ratified and confirmed. The Treasurer and the Chairman of the Board of Selectmen, and each of them singly, is hereby authorized to take such action and to execute and deliver an Arbitrage and Use of Proceeds Certificate, a Signature and No Litigation Certificate and such additional

documents, certificates and instruments as may be deemed by them as necessary to effectuate the execution and implementation of the Loan Agreement and effectuate the issuance and delivery of the Bonds heretofore authorized; and

FURTHER
VOTED:

Any prior resolutions of the Board of Selectmen restricting the amount of authorized loans or issuance of bonds and notes are hereby superseded; and

FURTHER
VOTED:

If any officer or official of the Municipality who has signed or sealed the Bonds shall cease to be such officer or official before the Bonds have been authenticated or delivered by the Municipality, such Bonds nonetheless may be authenticated, issued and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer or official; and any such Bonds may be signed and sealed on behalf of the Municipality by those persons who, at the actual date of the execution of such Bonds shall be the proper officers and officials of the Municipality, although at the nominal date of such Bonds such person or persons shall not be such officer or official; and

FURTHER
VOTED:

That since the purpose of the borrowing authorized by these votes is to refund the November 12, 2003 bond of the Municipality at lower rates in order to achieve a net saving of debt service of the Municipality, and since it is not possible to determine that such a net saving will occur until the Bond Bank prices its bonds and informs the Municipality on or about April 24, 2012 of the interest rates and terms of the Bonds, the authorization given by these votes is and shall be conditioned on satisfaction of the Municipality that such a net saving will in fact occur. Promptly upon receipt of notice of the interest rates and terms of the Bonds the Municipality, by its Treasurer, shall certify to the Bond Bank that it is satisfied that a net saving will occur and that the Municipality intends to proceed with issuance of the Bonds in accordance with the terms of the Loan Agreement, failing which certification the authority granted by these votes shall be void.

TOWN OF WALDOBORO

Chairman, Board of Selectmen

Selectman

Selectman

Selectman

Selectman

I certify that I am the duly qualified Clerk of Waldoboro, Maine, and that the foregoing votes were adopted by the Selectmen of the Town at a meeting of said Selectmen duly called and legally held in accordance with the laws of Maine on March 27, 2012 and that the meeting was open to the public and that adequate and proper notice thereof was given in accordance with the laws of Maine, and that such votes have been entered into and become a part of the permanent records of the Town and remain in full force and effect and have not been rescinded or amended.

TOWN OF WALDOBORO

(SEAL)

Clerk

Dated at Waldoboro, Maine

Dated: March 27, 2012

8.2. EMS Servicing a Portion of Jefferson - EMS Director Richard Lash has worked out a proposed arrangement with the Town of Jefferson which would have Waldoboro EMS service the southern portion of Jefferson. This would be on a one year trial basis and on a non contractual basis. Lash estimates it could generate a net increase in annual revenues of \$39,000.

On the motion of Wooster / Maxwell, the Board voted 4-0 to approve Waldoboro EMS to service a portion of the Town of Jefferson on a one year trial non-contractual basis.

9. Executive Session(s): On the motion of Maxwell / Wooster, the Board voted 4-0 to convene in Executive Session at 5:53 p.m. pursuant to 1 M.R.S.A. §405 (6)(F) as Philbrook Fund Trustees to discuss application #12-11.

On the motion of Wooster / Maxwell, the Board voted 4-0 to resume regular session at 5:56 p.m.

On the motion of Maxwell / Wooster, the Board voted 4-0 to expend \$631.75 from the Philbrook Fund for application #12-11.

10. Call to Order - Budget Committee - The Budget Committee convened at 6:00 p.m. Members present were William Blodgett, Craig Lewis, Ellen Winchenbach, Tec Mohlie, Valdemar Skov, Bruce Metrick, Michael Dean, and Duncan Morrell. Absent was Jodie Ruano.

11. FY13 Budget:

11.1. Joint Meeting with Board of Selectmen and Budget Committee.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$748,626 for General Property Taxes.

On the motion of Skov / Mohlie, the Committee voted 8-0-1 to recommend \$748,626 for General Property Taxes.

On the motion of Maxwell / Cooley, the Board voted 4-0 to establish \$52,739 for Licenses & Permits.

On the motion of Mohlie / Skov, the Committee voted 8-0-1 to recommend \$52,739 for Licenses & Permits.

On the motion of Cooley / Wooster, the Board voted 4-0 to establish \$357,582 for Intergovernmental Revenues.

On the motion of Skov / Winchenbach, the Committee voted 6-2-1 to recommend \$357,582 for Intergovernmental Revenues.

On the motion of Maxwell / Cooley, the Board voted 4-0 to establish \$531,627 for Charges for Service.

On the motion of Skov / Winchenbach, the Committee voted 8-0-1 to recommend \$531,627 for Charges for Service.

On the motion of Wooster / Maxwell, the Board voted 4-0 to establish \$1,001 for Fines & Forfeits.

On the motion of Winchenbach / Mohlie, the Committee voted 8-0-1 to recommend \$1,001 for Fines & Forfeits.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$55,938 for Other Revenues.

On the motion of Skov / Mohlie, the Committee voted 8-0-1 to recommend \$55,938 for Other Revenues.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$111,937 for Other Financing Sources.

On the motion of Skov / Dean, the Committee voted 8-0-1 to recommend \$111,937 for Other Financing Sources.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$30,372 for the Office of the Selectmen.

On the motion of Winchenbach / Mohlie, the Committee voted 8-0-1 to recommend \$30,372 for the Office of the Selectmen.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$107,282 for The Office of the Town Manager.

On the motion of Skov / Morrell, the Committee voted 8-0-1 to recommend \$107,282 for the Office of the Town Manager.

On the motion of Cooley / Wooster, the Board voted 4-0 to establish \$93,515 for the Assessing Department.

On the motion of Winchenbach / Skov, the Committee voted 7-1-1 to recommend \$93,515 for the Assessing Department.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$31,648 for General Assistance.

On the motion of Mohlie / Skov, the Committee voted 8-0-1 to recommend \$31,648 for General Assistance.

On the motion of Cooley / Wooster, the Board voted 3-1 to establish \$246,914 for Finance / Customer Service.

On the motion of Skov / Metrick, the Committee voted 6-2-1 to recommend \$246,914 for Finance / Customer Service.

On the motion of Maxwell / Wooster, the Board voted 4-0 to establish \$58,724 for the Municipal Building.

On the motion of Metrick / Mohlie, the Committee voted 8-0-1 to recommend \$58,724 for the Municipal Building.

12. Adjourn - Budget Committee - The Budget Committee adjourned at 8:21 p.m.

13. Adjourn - Board of Selectmen - On the motion of Cooley / Wooster, the Board voted 4-0 to adjourn at 8:21 p.m.

Board of Selectmen:
Town of Waldoboro, Maine

Steve Cartwright, Vice-chair

Rebecca B. Maxwell

Theodore M. Wooster

Respectfully submitted,

Liam D. Ducharme

Craig E. Cooley