

**SELECTMEN'S MEETING MINUTES**  
**MARCH 29, 1994**

Regular meeting of the Waterboro Board of Selectmen.

PRESENT: Chm. Frank R. Allen, Jr., Dennis G. Abbott, and John C. Monteith.  
Also present: Selectmen's Assistant Dwayne Morin.

**REPORT OF STANDING COMMITTEES:**

Board discussed the cable TV franchise. Agreed to send a letter to them asking for a meeting. Also to contact Mr. Bateman to give the Board a list of requests for extensions of cable TV. Chm. Allen suggests sending a letter telling them that they are in violation of their franchise agreement and would they like to re-negotiate or shall the Town go out to bid.

GLENN BEAN, SR.: The Board asked what damage was done to the roads after last weeks rain storm. Glenn reported minor damage due to the ground is still frozen. Did replace the culvert on the Knight's Road. Chm. Allen asked about the culvert on the East Shore Road. Glenn told the Board that the culvert was not frozen, there was just to much water for the culvert to handle.

DWAYNE MORIN: Dwayne showed the Board a copy of a plan surrounding the transfer station. Sel. Abbott told him that he has seen one before just like that plan. Discussed Town Report bids: Form Systems bid was for \$4,450., Lincoln Press was \$7,998., Edison Press \$9,689. Northern Data Systems bid was received one hour after the 3 p.m. deadline. Board awarded the bid to Form Systems for \$4,450. Dwayne reported that the next York County Elected will be held on May 5th. Both Chm. Allen and Sel. Abbott will attend. Board reviewed the first draft of the contract between the Town of Waterboro and Assessing Services.

**NEW BUSINESS:**

MASSABESIC LION'S CLUB: John Kustron and Herb Wishart represented the Lion's Club. The Board invited them in to discuss taxes. Sel. Abbott explained that back 1 1/2 years ago, the doctors were not charged personal property taxes. Question public use and commercial use of the building. Sel. Abbott told them that there may be a perception that the town is subsidizing some medical professions and not others. The tax is on the commercial use of the building only. Lion's do have tax exemption on the part of the building they use of benevolent and charitable uses. The Nature Conservancy has asked for a fee in lieu of taxes. Applewood pays service fee in lieu of taxes. There are demands on services and they should be paid. John Kustron stated that the building is owned by the Town, the Lion's lease the building. The club has invested approximately \$20,00. a year on improvements also multiple of services, the library, scouts senior citizens group.

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He doesn't feel that people who pay \$4.00 for a bean supper expect the money to go towards paying the taxes and not services. Sel. Abbott stated that the community has contributed and not just Waterboro. What other town services does the club utilize. John Kustron told the Board that trash, constable, fire

but also The Nature Conservancy and Applewood does not give scholarship's to town children. The Board at this time stated that they did not want to argue for the Nature Conservancy. John Kustron told the Board that 100% of what is taken in by the public is spent on the public. Chm. Allen told them that the only concern is the small part of the building that has a commercial use. Sel. Abbott stated that 90% of the people thought it would be a sliding scale for payment of doctor services. Sel. Monteith stated that was never the intent. Sel. Abbott told them that the tax bill sent was for the commercial use of the building only, not the part of the building used by the Lions. John Kustron asked why was the bill sent to the Lions. Sel. Abbott told him because they hold the lease. Bob Konczal, Assessor's Agent was also present and presented several court cases. John Kustron also stated that there are number of instances where the owner is exempt and the leasee are not taxable. The lease with the Town states leasee use of the building will not be taxable. Bob told them that having restrictions on lease hold properties are common, but it is unconstitutional that can't be taxed under Article 9. Income tax exemption and property tax exemption is different. Income tax is federal and property is state. Sel. Monteith stated that there is a letter from the Bureau of Taxation, that they could not give a definite answer. Bob told them that that answer is common on all letters because they do not want to over rule the Selectmen. Bob has talked to Mike Rogers from the Bureau of Taxation and he agrees on taxing the commercial use of the building. If the doctors charged one fee for everyone, then they could get tax exemption status. John Kustron told the Board that Frank Wood wrote a law and it was passed specifically that the Massabesic Lion's are tax exempt due to rural doctors. Sel. Abbott told them that the back taxes have been abated. The Board was in agreement that a tax bill should not have been sent until they had discussed it with the Lion's. That is why the Board has called this meeting. Feels it is imperative that all Boards sit and meet so that people will know what is going on. John Kustron will write a report on the Lion's for the town report. Sel. Abbott told them that they need to keep the dialogue open and until further developments, then there will be no tax bill. Everyone present agreed to meet quarterly.

#### **SIGNED:**

The Board signed the warrant for payment of bills and payroll.

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#### **DISCUSSION:**

Selectmen's Office has received a complaint from a citizen concerning the parking along the Clarks Bridge Road for the parishioners attending North Waterboro Church on Sundays. It is hard for residents on that road to get up the road with parking on both sides of the road. Chm. Allen asked Dwayne to sent a letter to Rev. Chandler Holmes concerning the parking problem. Sel. Monteith seconded.

**ADJOURNMENT:**

The motion for adjournment was made at 8:00 p.m.

approved: \_\_\_\_\_

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