

**SELECTMEN'S MEETING MINUTES**  
**March 6, 2012**

**EXECUTIVE SESSION:** Selectman Gale moved to go into executive session at 5:35 pm per Title 1 M.R.S.A. §405 (6)(D) to discuss the Town Planner's contract, seconded by Selectman Girard, voted and passed, **4 yeas**. Selectman Woodsome arrived during the executive session. Selectman Abbott moved to come out of executive session at 6:05 pm, seconded by Selectman Girard, voted and passed, **5 yeas**.

**PRESENT:** Chairman Littlefield, Selectmen: Woodsome, Gale, Girard & Abbott, Nancy Brandt, Roger Macomber, Tim Neill, Tom Ursia, Christina Silberman & David Lowe. Doug Foglio, Sr. was present to give a report and David Barker arrived during the Town Planner's report.

Chairman Littlefield opened the meeting at 6:07 pm with the Pledge of Allegiance.

**ANNOUNCEMENTS:** Chairman Littlefield extended condolences on behalf of the Board to the families of Mary Gilman, who died recently in a tragic house fire here in Lake Arrowhead, and to Everett "Joe" Whitten, who recently passed away and had served on many Waterboro Boards & Committees.

Chairman Littlefield announced that Stephanie Theriault is having a bake sale tomorrow in the lobby at the Town Hall. The proceeds will go to benefit Jordan Gilman who lost his mother and everything in the fire.

Chairman Littlefield warned dog owners that all dogs must be licensed prior to April 1<sup>st</sup> or the late fee will increase to \$50.00. The Animal Control Officer will then begin visiting owners of unlicensed dogs and issuing court summonses. It is best to license your dog now to avoid paying a fine in addition to the increased late fee and licensing fee.

Chairman Littlefield reminded property owners that the second half of the tax payments are due on April 6, 2012 and interest will begin to accrue on balances on April 7, 2012.

**HEARING OF DELEGATION:** None

**CORRESPONDENCE:** Chairman Littlefield reviewed the following correspondence:

1. Rep. Libby's newsletter
2. Invitation from WAB for "Business After Hours" meeting

**REPORTS: Selectmen's Report:** Selectman Abbott reminded the public that EcoMaine is holding the EcoExcellence awards ceremony tomorrow, March 7<sup>th</sup> from 10 am to 1 pm and the Transfer Station employees are receiving one of the awards this year.

Chairman Littlefield reported that the Road Commissioner, Doug Foglio, Sr. met today with Senator Courtney's office, Rep. Libby and the Maine Department of Transportation (MDOT) Commissioner in Augusta to review some problem areas including the transfer of the Old Alfred Road. Mr. Foglio is making the town's position known that there are several upgrades the town wants the State to do before the town accepts the road. Mr. Foglio will also review the condition of the bridge on the West Rd.

**Town Administrator's Report:** Nancy Brandt reported that she has received 12 applications for the Code Enforcement Officer position and 4 of the applicants are currently State certified. The next step is to decide on the interview and hiring process.

Ms. Brandt said that she provided copies to the Board and Road Review Committee of the file that Mr. Foglio reviewed with MDOT in Augusta today. Ms. Brandt said that the plans for the proposed MDOT project at the intersection of Route 202 and Old Alfred are now available here at the town hall. MDOT has scheduled a public meeting on the project here at the town hall on Wednesday, March 14<sup>th</sup> at 6 pm. Ms. Brandt said that she has an appointment with Water District Commissioner Dave Benton to discuss the office space lease.

**Planning Board Report:** Tim Neill of the Planning Board reported that there are no subdivision plans or building applications before the Planning Board at this time. The Board is currently reviewing conflicts. One conflict they discovered in the Zoning Ordinance is regarding what triggers site plan review and the Board is working to clear this up. The Planning Board is looking at the Growth Ordinance mainly because there are unused building permits and they want to find ways to steer development. Mr. Neill remarked on the intersection where Heath's Store was and said that if the use of the store changes DOT wants to make changes to the traffic flow in that area. If the building is used again as a variety store the changes may not be needed. The Planning Board has discussed the use of cisterns and sprinkler systems for fire protection. Some members feel that there is an issue with the long term care of cisterns. If regular maintenance is not completed the cistern could run dry or cease to function. The Town needs someone dedicated to keeping an eye on the cisterns. Selectman Girard remarked that the jail has a problem now with their cisterns. There was never any maintenance done on them and it was recently discovered that sludge has built up inside and they would not function if needed. Selectman Abbott commented that if the cisterns are required to be installed for fire protection, why isn't the Fire Dept. inspecting them? Mr. Neill said that he is not sure if the Fire Dept. inspects them or not. Mr. Neill said that a lot of towns are trending towards requiring sprinklers. Mr. Neill said an issue with sprinklers is that if the power is out, the sprinklers won't work. The Board thanked Mr. Neill for his report.

**Road Commissioner Report:** Doug Foglio, Sr. reported on his meeting earlier today with Senator Courtney's office, Rep. Libby, and the Commissioner of MDOT. They discussed the bridge on West Rd. The MDOT Commissioner asked for a copy of the correspondence from the Scarborough MDOT office asking for the direct filing of complaints with them. The MDOT Commissioner said that he wants a working partnership with the municipalities and someone in their offices will not take complaints from a municipality then he has an issue with that. Under federal law, bridges must be inspected every 2 years. To be considered a bridge under federal law, the span must be 20' or more. The bridge on West Rd. is too narrow to be considered a bridge. The MDOT Commissioner thinks the bridge is stable and Mr. Foglio pointed out the safety issue with the abutment and they agreed this was not safe. The MDOT Commissioner said he will look at this and will provide a reply within 10 days. They discussed Chadbourne Ridge Rd. and they are going to check to see if there are any federal funds to assist with the cost of repairs. \$20,000-\$30,000 is not an unreasonable projection for the cost of required permits to do the work on Chadbourne Ridge Rd. Mr. Foglio was told that the Hamilton Rd. bridge should have been inspected and the MDOT Commissioner is going to look for the inspection report. There are 50/50 matching funds available through the State for some bridge projects and the information on this program will be provided to the town. If the bridge is found to be weak, a letter will be sent to the town directing that either a weight restriction be posted or that the bridge be closed. If the town does not follow through, the

State will barricade the bridge themselves. They talked about the transfer of maintenance of Old Alfred Rd. from the State to the town. Mr. Foglio provided MDOT with a cost to repair Old Alfred Road and told them that the town does not wish to accept the maintenance until the road is repaired. The State will still be responsible for any construction/reconstruction. MDOT will consider this and will follow up with the town. Senator Courtney's assistant asked Mr. Foglio to let them know if the town is not satisfied and they will see what they can do. Rep. Libby said he will wait a week and will follow up with MDOT.

Mr. Foglio cautioned the Board about a private road in town that some citizens want the town to accept as a town road. Mr. Foglio urged the Selectmen not to accept this road. The right of way is not cut to its width and there are no turn-arounds. The plan says that the road will remain a private road and the residents are responsible for it. Mr. Foglio said that property deeds should indicate that it is a private road but they do not. Mr. Foglio said that he is opposed to the town accepting this road and he will indicate the name of the road at the appropriate time.

Mr. Foglio located a survey of the intersection of Route 5 and Townhouse Rd. that was done by the State that shows what the State owns. As you go around the corner all of the trees on the right hand side are considerably in the right of way and this is going to be an issue if the town takes over maintenance of the road. When the temperature drops the road is icy underneath the trees. The Board thanked Mr. Foglio for his report.

**Town Planner Report:** Tom Ursia, Town Planner, said that he is currently the only certified Local Project Administrator (LPA) in the community. The Board may wish to have others certified also. LPA is a designate by MDOT to allow a variety of different things, such as processing DOT grants and project administration. Having an LPA on staff saves the town a significant amount of money. The certification process is fairly simple with a course taught by MDOT. Mr. Ursia said that it is good to have a back-up and suggested the Road Commissioner and/or the Chair of the Road Review Committee.

Mr. Ursia reported on the Safe Routes to Schools grant that the town received for phase 1. The Scoring Committee has made a recommendation on which of the five engineering firms that submitted proposals to use and the Selectmen will vote to approve this tonight. The clear and highest scoring firm was Wright Pierce. The proposed cost is within the parameters of the grant amount of \$30,000. Timing and scheduling can be negotiated. Mr. Ursia offered to do the negotiating and the Board agreed.

Mr. Ursia reported that the Efficiency Maine Trust grant will soon be closed out. Woodward & Curran had agreed to wait for payment for the work they did and the town should receive these funds soon.

Mr. Ursia said that he is working with the Planning Department on an expanded and improved communication system.

There is a proposal at Waterboro Crossing for a financial institution that should come to the Planning Board in the first week of April. Another financial institution is looking for a site in the community. The Napa site is having a foundation put in. There is some speculation on what will happen with the convenience store at the Napa site. There is a movement to put a new structure where the convenience store is. If the convenience store is demolished, the two other exit points will have to be abandoned. Selectman Girard commented that there is a desire to have some kind of lodging establishment in town. Mr.

Ursia said that feelers have been put out but there are no prospects at this time. There has been an interest in call centers. There is one company looking for a 400 module call center and another company looking for an 80 seat call center.

Selectman Woodsome asked Mr. Ursia to provide information about the 20/20 Committee meeting. Mr. Ursia said that the 20/20 Committee has a meeting tomorrow night at Central Station at 5 pm. The students from the Conway School will give a preliminary report on some of their findings and they will be seeking some feedback. Mr. Ursia outlined their work and said that their research and findings are purely suggestions. Chairman Littlefield remarked that he has heard positive feedback that the people from the Conway School have been very comprehensive and professional. The Board thanked Mr. Ursia for his report

### **NEW BUSINESS:**

**1. Discuss/vote to approve Assessors' Notice to Taxpayers:** Selectman Abbott moved to approve the Assessors' Notice to Taxpayers, seconded by Selectman Girard, voted and passed, **5 years.**

**2. Discuss/vote to approve Supplemental Tax Certificate:** Selectman Abbott moved to approve the supplemental tax certificate, seconded by Selectman Gale, voted and passed, **5 years.**

**3. Discuss/vote to approve the Scoring Committee's selection for engineering design services on a specific portion of Old Alfred Road for Maine DOT Project No. 19396.00:** Selectman Abbott moved to approve the Scoring Committee's selection for engineering design services on a specific portion of Old Alfred Road for Maine DOT Project No. 19396.00, seconded by Selectman Woodsome. Chairman Littlefield stated for the record that the 5 engineering firms that submitted proposals were Woodward & Curran, Wright Pierce, Gorrill Palmer, CMA Engineers and Sebago Technics. Based on the cumulative scores in the categories of qualifications, experience, control schedule & costs, the firms references and intangibles the Scoring Committee arrived at Wright Pierce with a score total of 285. The motion was then voted and passed, **5 years.**

**4. Discuss/vote to approve the letter of decision regarding the 2/28/2012 property tax abatement vote:** Selectman Girard moved to approve the letter of decision regarding the 2/28/2012 property tax abatement vote, seconded by Selectman Gale. For the record, Chairman Littlefield indicated that this was based on an application for abatement from the families of Heacock and Piper. Selectman Abbott asked if the Town Attorney has reviewed this to ensure it meets the obligation sent from the court. Chairman Littlefield responded that he is not aware of this. Selectman Abbott asked that the motion be amended to add "pending legal review". Selectman Girard moved to amend her proposed motion to include "pending legal review", seconded by Selectman Gale. The amended motion to approve the letter of decision regarding the 2/28/2012 property tax abatement vote, pending legal review was then voted and passed, **5 years.**

**OLD BUSINESS:** None

### **OTHER:**

**1.** Moved by Selectman Abbott, seconded by Selectman Woodsome to sign warrants for bills and payroll, voted and passed, **5 years.**

### **PENDING DECISIONS**

1. **Public Service Announcements:** Selectman Gale said that the Fire/Rescue piece is being edited by Mr. Lowe and the Board can move on to another department. Selectman Girard said she would be willing to do a piece on roads.
2. **Review Driveway Opening Permit language:** Pending
3. **Board & Committee status:** Vacancies still exist on some boards and committees, please contact the town office for more information.
4. **Water District survey:** Surveys are still being compiled by Maine Rural Water Association and Ms. Silberman will check with them on the status
5. **Water District office space lease:** Ms. Brandt will be meeting with Mr. Benton to review this.
6. **Eagle Scout Project:** pending
7. **Internet and Electronic Mail Policy revisions:** pending

**WEEK'S ACTION LIST:**

1. Obtain legal review of the letter of decision for the abatement
2. Mr. Ursia will send letters to the engineering firms that submitted qualification bids
3. Contact Todd Abbott about providing a report on the Charter Review Commission

**DISCUSSION OF AGENDA ITEMS:**

The Board will hold a very brief business meeting next week following the Special Town Meeting.

Chairman Littlefield read the reminders and reviewed the articles on the Special Town Meeting warrant.

**ADJOURNMENT:** Selectman Woodsome moved to adjourn the meeting to a budget workshop at 7:38 pm, seconded by Selectman Girard, voted and passed, **yeas**.

**SIGNED:**

1. Warrants for bills & payroll

**APPROVED:** Date: \_\_\_\_\_

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