

**SELECTMEN'S MEETING MINUTES**  
**August 14, 2012**

**PRESENT:** Chairman Abbott, Selectmen: Gale, Girard, Littlefield & Woodsome, Nancy Brandt, Todd Abbott, Dwayne Woodsome, Atty. Ken Cole, Willis Lord, Clint Andrews, Tammy Wells, Jerry Daigle, Brigit McCallum, Jack Seery, Jim Carll, Doug Foglio, Sr. & David Lowe.

Chairman Abbott opened the meeting with the Pledge of Allegiance at 6:00 pm.

**ANNOUNCEMENTS:** Chairman Abbott announced that the drawdown of Little Ossipee Lake will begin immediately after Labor Day. Repairs need to be done to the dam and to the boat launch. The boat launch work has to be completed by October 1<sup>st</sup>. As soon as the lake starts to recede and we can get the equipment in, the boat launch work will begin and the boat launch will be closed.

Selectman Girard offered condolences on the passing of Kevin Broad to his family and the community. He was a beloved swim team coach and math teacher at Massabesic High School and he will be missed.

**APPOINTMENTS:**

**1. Town Atty. Ken Cole to discuss proposed revisions to the Town Charter:** Atty. Cole stated that the Charter Review Commission has done an excellent job. He has reviewed the Commission's latest draft and has made recommendations for changes. Atty. Cole said that all of his concerns have been addressed and he is prepared to provide his ruling that the proposed revisions are in compliance. Todd Abbott, Chairman of the Charter Review Commission, asked for clarification regarding deputies being able to sign things regardless of whether the Administrator is present or not. Atty. Cole replied that State law allows for the deputies to carry out these functions if they are appointed and sworn in to do so. The question about deputies obtaining certifications is up to the individual organization and their requirements. Selectman Girard asked for clarification for the effective date for the changes and Atty. Cole responded that the law requires that the changes be effective at the commencement of the next municipal year which would be July 1, 2013. Selectman Littlefield asked about elected positions with terms that have not expired at the implementation of the changes. Atty. Cole replied that the person would serve the remainder of their term. Jack Seery asked if the Charter Review Commission plans to conduct any educational meetings prior to the vote on the changes. Todd Abbott replied that the Commission has discussed scheduling another public hearing prior to the election but this has not been finalized. Atty. Cole added that when the Selectmen are formally presented with the proposed revisions to the Charter, they are required to hold a public hearing when they call for the referendum to vote on the revisions. Chairman Abbott said that the reason they plan to have the vote on these revisions in November is because there is a requirement that the election turnout for a charter revision has to be at least 30% of the last gubernatorial vote and the Town typically does not see this high of a turnout at a Town Meeting. The Board thanked Atty. Cole and the Charter Review Commission.

**2. Open Library painting bids & discuss/vote to award Library painting bid:** Chairman Abbott stated that 6 bids were received for painting the Library per provided specifications. The bids were opened and announced as follows: Peter Cote \$8,925, Seacoast Property

Maintenance \$3,339, W Carpentry \$7,200, Discount Painters \$3,850, Bridge Painting Services \$5,800, & 7 Fold Construction at \$4,800. Ms. McCallum suggested that the Library be tested for lead paint. Selectman Gale moved to accept the bids as presented, seconded by Selectman Woodsome, voted and passed, **5 yeas**. Selectmen Girard moved to award the bid to Seacoast with the stipulation that the Town Administrator will check references to ensure that they can do the work satisfactorily and that they are available to start the work within 30 days, seconded by Selectman Gale, voted and passed, **5 yeas**.

**HEARING OF DELEGATION** (this was held after appointment #1 because appointment #2 for the bid opening was scheduled for 6:30): Road Commissioner Doug Foglio, Sr. reported that he finally received a response from the DEP (Department of Environment Protection) regarding the salt shed. The DEP wants the town to file a VRAP (voluntary response action program) to address the waste oil pits. They think the proposed location is a good site for the salt shed. The cost of the VRAP can be incorporated into the plans and it does not seem that it will be an expensive process. Mr. Foglio said the town can do the cutting and this will have to be done before the engineering work. He showed maps of the area to the Board and said we need a consensus of what is going to be done. Mr. Foglio asked to move forward with the cutting. Selectman Girard asked about the cost and Mr. Foglio replied that the cost of the engineering is in the budget for the salt shed and the cutting will hopefully result in a plus for the town. Mr. Foglio reported that he is working with CMP on setting the utility poles on New Dam Rd. and he is ready to begin paving. He has checked on the price for the planks to extend the boat launch ramp. They are \$126.19 each and it will take 24-30 of them to extend it out 18 feet. Mr. Foglio asked about preparing the notices and Ms. Brandt said we will prepare them and have them laminated. Mr. Foglio said he is concerned about what will happen if he pulls the gates out of the dam to have them repaired and the lake doesn't go down to have them put back in. Ms. Brandt recommended that he check with Ledgemere. Mr. Foglio said that we should consider having the dam cut and adding another gate to better maintain the water level. Ms. McCallum asked if New Dam Rd. is going to be widened and Mr. Foglio responded that it will be roughly 4 feet wider.

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

1. Treasurer's Weekly Financial Reports
2. Rep. Libby's newsletters
3. Memo from Atty. Ken Cole re: Charter Revision Draft
4. Memo from the Planning Board re: Planner's review of projects
5. Copy of e-mail from Sebago Technics re: salt shed site
6. Planning Board Findings of Fact Notice of Decision
7. Memo from Twelve Town Group re: August meeting
8. Motor Vehicle Agent's July 2012 report

**REPORTS & STAFF INITIATIVES:**

**Assessor's Agent - Discuss/vote on proposed new fiscal year tax rate:** Assessor's Agent Jerry Daigle reviewed the tax commitment of \$9,904,914.93, the taxable valuation of \$750,617,500, and 3 proposed tax rate options as referenced in his memo dated 8/14/12. Mr. Daigle said that taxes could be committed on 8/22/12 and the bills mailed by 9/7/12. The due dates will be 10/5/12 and 4/5/13 with a late interest fee of 7%. Selectman Girard

moved to set the tax rate at 12.80, seconded by Selectman Gale, voted and passed, **5 yeas.**

**Transfer Station Manager Report:** Transfer Station Manager Clint Andrews reported that he has sent out the applications for the 2012 Commercial Hauler permits and he expects to have them back by next week. He sold the metal pile last week and the minimum is \$200 per ton. This could go to \$242.50 per ton. They will be here within 2-6 weeks. The brush and wood pile has been ground at a cost of \$6,559. The estimate was \$10,500. They ground 258 tons of brush and 160 tons of demolition wood. There was a hold up with Sappi for the testing and the results were good. Normally it would cost around \$13,000 to ship this someplace. Sappi paid for all the testing. There has been a reduction in the (EcoMaine) monthly fee from \$14,795 to \$12,550 which is nearly a \$27,000 savings for the year. There have been some issues with the single sort recycling with the silver bullets. The new contract is for a charge of \$70.00 to have the containers hauled to the transfer station and dumped. The loads aren't full. The containers need to be packed more or there will not be any savings in the trucking costs. Chairman Abbott asked that Mr. Andrews, Ms. Brandt and Mr. Cote meet to further discuss this. Mr. Andrews reported that the recycling rate for June was 21.79% and 19.73% for the year. This is down from 25% the previous year. Household waste was 1,831 tons for the fiscal year and this is down a little bit. Mr. Andrews said that if more people recycle it will save a lot of money. He is going to have IT Manager Dave Lowe post the monthly totals going back 4 years for people to review on the transfer station page of the website. Mr. Andrews said they are getting new skid steer tires and they should be here tomorrow.

**Transfer Station Recycling Committee:** Chairman Abbott stated that Pat Aureli, Chair of the Transfer Station/Recycling Committee was unable to attend tonight but did provide a report. The Transfer Station/Recycling Committee had a booth at the Old Home Days. This was a success with water donated by Poland Spring to hand out and some giveaways, a coloring contest and raffles. They are now working with the school on their zero waste project and this would affect costs at RSU 57 due to recycling savings. They are looking for more members and the next meeting is 8/27/12 at 6:30 at the old town hall.

**EcoMaine Representative:** Chairman Abbott reported that our recycling rate at Ecomaine is down. He also reported that as of August 5, 2012 EcoMaine is debt free. There is an effort now to build up a fund so they can self-fund some of the capital improvements going forward with a target balance in the \$20,000,000 range. Chairman Abbott said that EcoMaine is one of the cleanest waste to energy facilities in the country and one of the best managed in his opinion. EcoMaine has added some municipalities since the announcement on the closing of MERC and we will see if membership continues to build. EcoMaine has 21 owner municipalities and several contract municipalities. Waterboro's tonnage is at 1,822 tons of waste for the year. Recycling is down by a few tons to a 20% recycling rate. The Board can work with the Transfer Station/Recycling Committee to better understand if any more (recycling) can be done. Chairman Abbott said he has been the representative for EcoMaine for a year and a half now and it is a well-run outfit. They are now digging up the ash from the landfill and are removing the metals. Waterboro is an owner member of EcoMaine. EcoMaine's Annual Open House and Recycling Fair will be 9/22/12 from 8:30 am-11:30 am.

**Selectmen's reports:** Selectman Girard reported that the 12 Town Group is meeting on Monday. Geoff Herman of MMA will be a guest speaker. He will talk about the uniform

building code. They will also discuss legislation that communities would like to have presented this year and Selectman Girard asked the Board to let her know of anything they would like to have presented. Selectman Woodsome suggested that the Planning Board be notified about this meeting. Selectman Girard said she would speak with Tina (Secretary to the Planning Board). Chairman Abbott commented that they will discuss proposing legislation regarding DOT transferring a road to a municipality.

Selectman Littlefield urged the public not to leave their pets inside vehicles in the hot weather. It does not take long for the temperature to rise considerably inside a vehicle, even with a window cracked.

**Town Administrator report:** Town Administrator Nancy Brandt reported that the tax club application deadline is September 1<sup>st</sup>. Ms. Brandt said she is working on the lot being sold to James Triance. She has to find the assessment from 1980-1989 and the tax rate for 1986-87, these records are in storage and she hopes to have it by next week.

### **NEW BUSINESS:**

- 1. Discuss/vote to approve a partial payment waiver:** Selectman Littlefield moved to not approve the waiver as presented because there is a note that there will be additional payment agreements coming for this property and the vote should be on the final agreement, seconded by Selectman Gale, voted and passed, **5 yeas**.
- 2. Discuss lake lowering and plans for repairs to the dam and the boat launch:** Chairman Abbott stated that the work on the boat launch has to be completed by Oct. 1<sup>st</sup> and he asked Ms. Brandt to report next week on the cost of the planks and where the funds will be paid from. The gates will be opened immediately after Labor Day for work to be done to the boat launch and to the dam.
- 3. Discuss/vote on employee health insurance cap:** Ms. Brandt explained that the employee health insurance cap is \$9,000 and can now include family coverage and other insurance. The town has continued to take 10% out (of employees' checks). Ms. Brandt offered options for applying the cap. Selectman Gale moved to disburse the cap via 12 months at \$750.00 per month, seconded by Selectman Girard, voted and passed, **5 yeas**.
- 4. Discuss/vote to appoint a Public Access Officer as required by the Freedom of Access Act:** Selectman Girard moved to appoint Town Administrator Nancy Brandt as the Public Access Officer and that the town policy note that the Town Administrator shall be the Public Access Officer, seconded by Selectman Littlefield, voted and passed, **5 yeas**.
- 5. Discuss/vote to set up a workshop and/or public hearing to address fireworks concerns:** Chairman Abbott explained that due to complaints about the use of fireworks the town may wish to schedule a public hearing to receive input. Selectman Girard said that the community where she works responds to complaints about fireworks as a noise complaint. A warning is given followed by a summons for disorderly conduct if the complaints continue. The Board agreed to schedule a public hearing for September 18<sup>th</sup> and will have a poll/survey on the website in advance.
- 6. Discuss York County tax payment:** Chairman Abbott outlined the change to York County's budget year. There will be a six month assessment plus a 12 month assessment for their new fiscal year. Municipalities will have the option to pay for the additional 6 month year over a five year period.
- 7. Discuss Water District Office Space Lease:** A signed contract has been received.

**OLD BUSINESS:** None

**OTHER:**

- 1. Moved by Selectman Littlefield to sign warrants for bills and payroll, seconded by Selectman Girard, voted and passed, **5 yeas**.
- 2. Moved by Selectman Woodsome to approve the minutes of the 8/7/12 regular meeting, seconded by Selectman Littlefield, voted and passed, **3 yeas, 2 abstained (Gale & Girard - not present)**.

**PENDING DECISIONS**

- 1. Public Service Announcements
- 2. Review Driveway Opening Permit language
- 3. Board & Committee status
- 4. Water District office space lease
- 5. Internet and Electronic Mail Policy revisions
- 6. Barriers to prohibit vehicles from driving on the public beach
- 7. Cistern maintenance

**WEEK'S ACTION LIST:**

Follow up on Sept. 18 public hearing.

**DISCUSSION OF AGENDA ITEMS:**

Discuss/vote for Internet & Electronic Mail Policy update

Chairman Abbott read the reminders. Selectman Woodsome added that this Saturday, August 18<sup>th</sup>, the Historical Society is having an open house at the Johnson Saw Mill from 9 am – 4 pm. Chairman Abbott also issued a reminder that the Good Shepard Food Bank is distributing 9,000 lbs. of food to St. Stephens Church on August 23<sup>rd</sup> around 3 pm and they are looking for volunteers to help.

**ADJOURNMENT:** Selectman Girard moved to adjourn the meeting and go into a workshop to discuss goals, seconded by Selectman Littlefield, voted and passed, **5 yeas**.

**SIGNED:**

- 1. Warrants for bills & payroll
- 2. Minutes of 8/7/12
- 3. Water District lease

**APPROVED:**    Date: \_\_\_\_\_

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