

**Waterboro Board of Selectmen  
March 11, 2014 Meeting Minutes**

**Executive Session:** Selectman Abbott moved to go into executive session at 5:45 pm per Title 1 M.R.S.A. §405 (6)(A) to meet with a committee applicant, seconded by Selectman Gale, voted and passed, **4 yeas**. Selectman Abbott moved to come out of executive session at 5:51 pm, seconded by Selectman Woodsome, voted and passed, **4 yeas**. Selectman Woodsome was not present during the executive session.

**PRESENT:** Chairman Girard, Selectmen Abbott, Gale, Littlefield & Woodsome, Town Administrator Gary Lamb, Sharon Abbott, Dwayne Prescott, Frank Allen, Sue Rocray, Dean Waterhouse, Tammy Wells, Representative Aaron Libby, Administrative Assistant Christina Silberman and I.T. Manager David Lowe. Transfer Station Manager Clint Andrews was present through new business item c. Code Enforcement Officer Mark Mitchell and Viktor Garnik were present during the public hearing. Eric Booker arrived during hearing of delegation. Deputy Town Clerk Yvette Murray arrived during hearing of delegation and left during reports.

**PLEDGE OF ALLEGIANCE:** Chairman Girard opened the meeting with the Pledge of Allegiance at 6:00 pm.

**PUBLIC HEARING:** Chairman Girard opened the public hearing to determine whether the mobile home structure owned by Viktor and Olga Garnik and located on land owned by Viktor and Olga Garnik and shown on Map 13, Lot 013-053A-B/O of the current Tax Maps of the Town of Waterboro, Maine on file at Waterboro Town Hall, is dangerous or a nuisance within the meaning of 17 M.R.S.A. § 2851 at 6:01 pm. Code Enforcement Officer Mark Mitchell reported that the status of the dilapidated mobile home is essentially unchanged since the last pictures that were provided. Mr. Mitchell said that the building is unsafe. Chairman Girard asked Mr. Garnik if he would like to speak and he said no. There were no comments from the public. Chairman Girard closed the public hearing. Selectman Woodsome moved to declare the mobile home a dangerous building, seconded by Selectman Littlefield, voted and passed, **5 yeas**. Selectman Gale moved to complete and sign the findings and order, seconded by Selectman Woodsome, voted and passed, **5 yeas**.

**ANNOUNCEMENTS:** Chairman Girard said that unfortunately the Old Home Days Committee has decided to cancel the Old Home Days event. The Town has been seeking additional members to join the Committee but nobody has come forward. There are currently only 4 volunteers and this is not enough to hold the event. Chairman Girard said it is sad that we will not have the event this year.

**AGENDA ADDITIONS/DELETIONS:** New business item b was deleted from the agenda.

**APPOINTMENTS:** None

**HEARING OF DELEGATION:** Representative Aaron Libby said things have been hectic with his Committee work in Augusta and he asked if the Board has any questions. Rep. Libby discussed various energy issues with the Board. Chairman Girard asked where we are with the State Budget and said court actions have been curtailed. Rep. Libby said the Appropriations Committee is behind schedule and has been holding public hearings and are considering cuts. Rep. Libby said that the Department of Health and Human Services (DHHS) budget continues to go up. Chairman Girard asked how Rep. Libby voted on the municipal revenue sharing issue and he said he voted no because he disagrees with the mechanism. The Board and Rep. Libby discussed issues with DHHS. The Board thanked Rep. Libby for coming in.

**CORRESPONDENCE:** Chairman Girard reviewed the following correspondence;

- a. Treasurer's reports
- b. Rep Libby's newsletter
- c. Assessors' Agent's March 2014 calendar
- d. Governor LePage's 2/24/14 letter to citizens
- e. Motor Vehicle Agent's February 2014 report

### **REPORTS & STAFF INITIATIVES**

**Selectmen's reports:** Selectman Gale said he attended the Community Garden Committee workshop on planting seeds and preparing for spring and 8 people attended. The Committee is looking forward to spring to get started working in the Garden. The Library held a book sale over the weekend and made over \$300.00. The Library would like people to participate in their online survey.

Selectman Abbott said EcoMaine had their EcoMaine awards and about 1/3 of the winners were schools.

Chairman Girard reported that today the York County Budget Committee received the ruling from Justice O'Neil which favored the Budget Committee. He ruled that the Ethics Policy does not apply to the Committee and the York County Commissioners' censorship of the Committee was voided. The Commissioners have 21 days to file an appeal. The York County Budget Committee caucus has been scheduled for March 26<sup>th</sup>.

**Town Administrator** Gary Lamb reported the following:

- Of the 128 tax lien foreclosure notices that were sent, 24 people have come in and paid at least the oldest tax bill to prevent foreclosure. Communications continue with others who are trying to gather the funds to get current with their taxes or the town will own their property. For those who are unable to get current before March 18<sup>th</sup>, the town will own their property as of that date, and we will then sell these properties at auction to the highest bidder or list with a broker for open market sale. The Town does not want to be in the real estate business so please come in and get current with your taxes.
- Old Home Days weekend has been cancelled entirely, including the fireworks display. If sufficient volunteers come forward, perhaps the event can return in 2015. Please

make sure you thank Cindy Durney, Bob Gobeil, Deb Eisenhower, Todd Smith and others who helped in the past.

- Applications for the CEO Secretary's position have been trickling in with only 9 received as of today. We will receive applications until 4pm tomorrow. We will schedule interviews for the Recreation Dept. Assistant's position as soon as possible.
- DOT local road assistance for this paving year is tentatively still at \$88,000 for Waterboro and will largely consist of just a 5/8" thick shim coat on Route 5 from Dunkin Donuts west to the intersection with Chadbourne Ridge Road, a distance of 4.62 miles. This \$88K will have to be verified after this legislative session is over to ensure it has not decreased.
- The Fiscal Year 13/14 legal budget is over by \$5K and another \$8500 bill was received today. Mr. Lamb will maximize using MMA legal until the end of the year but we will still need some Town Attorney services this fiscal year. The Town hall heat and electricity budgets are or will be over budget by June 30<sup>th</sup>. Mr. Lamb is reviewing the energy audit and will take a walk through the attic soon with a contractor to look at insulation options. One time insulation bills are cheaper in the long run than the present heat going right through our ceilings and roof.
- The 12 Town Group meeting last night was a long meeting with 9 towns represented and a wide variety of issues were discussed.
- Mr. Lamb asked if the Board wants to do the third quarter budget review combined with committee reports.
- The Public Works garage is without water and they suspect a frozen line under the road.
- A revised budget draft dated March 11<sup>th</sup> was provided to the Board tonight. This does not include the CIPs and social service agency contributions.

Selectman Woodsome said that gubernatorial candidate Mike Michaud will be visiting Waterboro on March 19<sup>th</sup> at 6:30 pm at Massabesic High School in the auditorium. Mr. Lamb said this meeting is directed to elected officials but the public is welcome to attend. They will be discussing municipal issues. Eliot Cutler is also coming on April 20<sup>th</sup> and Governor LePage has been invited.

Selectman Abbott asked about road postings and said several other towns have already posted their roads for heavy loads. Mr. Lamb will check with the Road Commissioner.

#### **NEW BUSINESS:**

**a. Discuss/vote on Committee appointment:** Selectman Gale moved to appoint Donna Berardi to the Budget Committee and to the Community Garden Committee, seconded by Selectman Littlefield, voted and passed, **4 yeas, 1 abstained – Woodsome (Not present at meeting with Ms. Berardi.)**

**b. Discuss/vote on a consent agreement:** This item was removed from the agenda.

**c. Discuss/vote on the D & E Rubbish contract:** Selectman Littlefield moved to go out to bid on the hauling services contract, seconded by Selectman Abbott, voted and passed, **2 yeas (Littlefield & Girard), 3 nays – motion fails.** Selectman Gale moved to pursue extending the current contract, motion failed for lack of second. Selectman Abbott moved to authorize the Town Administrator to enter into negotiations with D & E

Rubbish regarding extending the current contract and coming back to the Board for review to determine whether to go out to bid, seconded by Selectman Woodsome, voted and passed, **3 years, 2 nays (Girard & Littlefield)**.

**d. Discuss/vote on the Town Administrator's title change to Town Manager:**

Selectman Abbott moved to go forward with a referendum vote in November to change the Town Administrator's title in the Town Charter, seconded by Selectman Littlefield, voted and passed, **5 years**. Selectman Abbott suggested getting input from the Charter Review Commission.

**e. Discuss including Town Meeting Warrant in the Annual Town Report:**

Selectman Littlefield moved to produce the town report without the warrant, seconded by Selectman Gale, voted and passed, **5 years**.

**f. Discuss/vote to accept a resignation for the Library Board of Trustees:**

Selectman Abbott moved to accept the resignation of Roberta Gallant from the Library Board of Trustees, with regrets, seconded by Selectman Gale, voted and passed, **5 years**.

**g. Discuss/vote on a possible settlement to a personnel issue:** Selectman Abbott moved to approve a Settlement Agreement between the Town and a former employee Susan Cannafarina in the total amount of \$30,000; to authorize payment of the Town's share of the settlement in the amount of \$23,500 and to authorize the Town Administrator to execute the documents necessary to finalize this matter, seconded by Selectman Gale, voted and passed, **3 years, 2 nays (Littlefield & Woodsome)**.

**OLD BUSINESS:** None

**OTHER:**

**a. Minutes of the February 25, 2014 regular meeting:** Selectman Littlefield moved to approve the minutes of the February 25, 2014 regular meeting, seconded by Selectman Woodsome, voted and passed, **5 years**.

**PENDING DECISIONS:**

**a. Town Charter revision to add a Public Works Department:** Still working on this.

**WEEK'S ACTION LIST:**

- Follow up on the committee appointment
- Mr. Lamb will work on the D & E rubbish contract
- Begin production of the Annual Town Report
- Serve notice to Viktor Garnik

**DISCUSSION OF AGENDA ITEMS:**

- Discuss who is representing the Town of Waterboro now with the redistricting of the York County Commissioners and invite the new Commissioner to come in for a meet and greet.
- Schedule a budget review and board/committee report workshop on April 15, 2014.

Chairman Girard read the reminders. Mr. Lamb suggested that the Board review the proposed driveway opening ordinance prior to next week's workshop.

**ADJOURN:** Selectman Woodsome moved to adjourn the meeting at 7:22 pm, seconded by Selectman Abbott, voted and passed, **5 yeas.**

**SIGNED:**

- Minutes of the February 25, 2014 meeting
- Findings and Order re: dangerous building

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

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