

**Waterboro Board of Selectmen Meeting
June 23, 2015 Meeting Minutes**

PRESENT: Chairman Girard, Selectmen Abbott, Gale, Littlefield & Woodsome, Town Administrator Gary Lamb, Sharon Abbott, Transfer Station Manager Clint Andrews, Public Works Director Doug Foglio, Sr., Tim Neill, Andy Cote, Tammy Wells, Deputy Treasurer Julie Giles, Joe Demakis, Jack Seery, Roger Macomber, David Benton, Nancy Roberge, Brigit McCallum, Administrative Assistant Christina Silberman and IT Manager David Lowe. Parks & Recreation Director Mike DeAngelis arrived during the public hearing.

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 receive comments on the proposed Highway Entrance Ordinance. She explained the history of the proposed ordinance and reviewed changes that have been made since the previous public hearing. An e-mail received from Tim Cote was read expressing concerns with some of the language. Selectman Gale said he has an issue with the wording regarding having an engineer ensure that a driveway does not result in an unsafe situation. He would like this rephrased because he doesn't think an engineer would certify this. Selectman Littlefield agreed. Selectman Abbott expressed concern with Section 2 c regarding a driveway that is enlarged or reconfigured. Selectman Woodsome said the minimum culvert size should be 30'. Andy Cote stated that he is pleased with some of the changes. He feels that the creation of the special appeals board would not be a neutral board. This is a major concern to him. He said that the Street Design Standards conflict with this proposed ordinance and the sight distances are totally different. He does not think that this should not be linked to the Street Design Standards. Selectman Littlefield said the Board has discussed the need to review all of the Town ordinances. Mr. Cote said the two are in conflict and questioned what would apply if someone were submitting an application. Selectman Abbott outlined the differences in sight distance between the two ordinances. Mr. Cote noted that subdivision regulations also differ from the Street Design Standards. Selectman Abbott said we have come a long way with this. This is Town government and nothing is forever. If this doesn't work or causes grievances it can be revisited and corrected. Public Works Director Doug Foglio, Sr. pointed out that the people don't buy the culverts, they would come to the town and pay for them through the town. He would like to have the Board act on this and move forward. Chairman Girard closed the public hearing at 6:31 pm.

Discuss/vote to adopt the Highway Entrance Ordinance. Selectman Gale moved to accept the proposed ordinance, seconded by Selectman Abbott. Selectman Abbott moved to amend the proposed ordinance to strike section 2 c and amend section 6 b 3 a to read "...the driveway does not pose a significant hazard" instead of "...will not result in an unsafe situation", seconded by Selectman Littlefield, voted and passed **4 yeas, 1 abstained (Woodsome)**. The Board then voted to approve the amended ordinance **4 yeas, 1 abstained (Woodsome)**.

ANNOUNCEMENTS: Chairman Girard announced that the Old Home Days event will be held July 10th and 11th.

ADDITIONS OR DELETIONS TO AGENDA: None.

APPOINTMENTS: None.

HEARING OF DELEGATION: Brigit McCallum, Chair of the Library Board of Trustees, gave a huge thank you to the Department of Public Works for their work on the landscaping at the Library. She said that there is a red maple tree on the property and they are looking for a bench to place there. This will be a Willis Lord meditation spot.

CORRESPONDENCE: Chairman Girard reviewed the following correspondence:

- a. Motor Vehicle Agent's May 2015 report
- b. Letter from Chief Matt Bors

REPORTS & STAFF INITIATIVES:

a. Transfer Station Manager Clint Andrews reported on the spring clean-up day. He also reported on the Maine Resource Recovery Association's Annual Solid Waste Conference. He feels that the Town should get the Transfer Station/Recycling Committee going again.

b. Selectmen's reports: Selectman Littlefield commented that the staff did an exceptional job on Election Day. Things were well marked and went smoothly. He gave kudos to Mr. Foglio for cleaning up the property where the old fire station was.

Selectman Gale commented that the Annual Town Meeting had only 40 people or so attending. The Town could go to a referendum vote. That can be scary with more people voting but not they may not be informed. He also discussed creating a new Charter Commission.

Selectman Abbott reported that the EcoMaine Annual Meeting was held Wednesday. The budget has been passed. There is a buffer fund to protect recyclables due to the downturn in the market. Efficiencies are up on producing electricity. He congratulated the Massabesic Middle School for winning the zero waste challenge again through the Chewonki Foundation.

Selectman Woodsome thanked everyone for coming out to vote and he said that he will do the best he can do.

Chairman Girard reported that the York County Budget Committee voted to approve a budget of \$19,053,554 that has been sent to Commissioners. Three people were opposed, mostly due to the Sheriff's budget. The Commissioners will meet July 1st and if they agree with York County Budget Committee the budget will be done. If not, the Commissioners will recommend changes and send it back to the York County Budget Committee.

c. Town Administrator Gary Lamb's report: Mr. Lamb reported on the following:
- As previously announced at our recent Annual Town Meeting, during my final preparations for Town Meeting, I discovered that I made an error last September in the FY 14/15 tax commitment. While filling out the commitment worksheet, I inadvertently gave the Assessor numbers that double collected the \$424,283 county tax. After double checking our figures to verify the mistake, I called the Board of Selectmen Chair and later that same day emailed all of the Selectmen and our Town Auditor about this over collection. I want to publicly apologize to all Waterboro taxpayers for this mistake. After

speaking with our Town Attorney and auditor, they recommend the following steps to reimburse taxpayers in FY 15/16 that begins July 1 2015.

1) Before our end of year closing of books transfers unspent funds into our undesignated fund balance, we should set aside the additional \$424K into the restricted or committed category so it will be so noted in the FY 14/15 audit.

2) Use this additional \$424K as additional revenue at tax commitment in August 2015, thereby refunding it to taxpayers in the same proportion it was collected.

3) All other factors do not usually remain the same year to year. During this coming August's tax commitment, our Assessor will probably reduce property values town-wide in response to many valid claims of over-assessments. The State of Maine agrees that we are beyond 100% valuation, so the Assessor may make a 15% or more decrease in many property values on the upcoming Sept tax bills.

-DOT Route 202 project pavement grinding from Massabesic Lions Club south to the entrance to Plummers and the dollar store may begin Wed., June 24th for 1-2 days.

Paving in this same section may occur for 2-3 days after and hopefully be completed by July 1. No road work will be done Friday July 3rd or Saturday July 11th for the Old Home Days parade.

- I am contacting prior applicants for our front office position and finding most are not interested in part-time work. I will keep looking and hope to interview soon.

- Food pantry folks have determined the well and septic are not functional for the donated lot at the corner of Moon Penny Lane and Townhouse Road. Additional survey work is being completed and it appears they will ask for a lease of town owned land for the 25' x 35' building with parking being in front of the building on the donated lot. Their 501(C) 3 has been active since April 2015 and they have raised \$2,800 to date.

- Last year during our Town Meeting wrap up, we learned that there is a tight timetable to get a November ballot question approved. I checked with the Town Attorney in case a charter commission question is desired this fall. The following process is necessary to form a charter commission pursuant to 30A-2101. This timetable below is to meet Nov. 2015 election requirements.

1) Municipal officers vote to establish a charter commission (first meeting in July)

2) Within 30 days of above bullet, municipal officers must pass a second vote submitting the question to voters (second meeting in July)

3) The question must go to voters at the next election which must be at least 90 days after the second vote. If above two bullets occur before August 1st, the ballot question can go to voters Nov. 2015

4) If citizens want to use charter section 212 to abolish town meeting and replace with referendum voting, at least 750 registered voters (15% of all 5003 registered voters) must sign a petition asking for such a referendum question at a regular or special election

- Our assessing firm Atlantic Valuation Services has announced a staff change. Alex Konczal, son of owner Bob Konczal, will be taking over the Tuesday office hours. Since Town Meeting recently approved adding a third day to our assessing efforts, Alex will be taking that over also. Until further notice, the third day of assessing services will be on Monday, to help get ahead of the mountain of fieldwork that badly needs to be done. Alex is a certified Maine Assessor, former member of the Scarborough Board of Assessment Review, has a BA with honors in architecture, and considerable other assessing, customer service and municipal computer software experience in Brunswick, Freeport and

Chebeague Island. If there are citizens who need a Monday appointment with the assessor, that can be worked in and around the fieldwork schedule.

- The Public Works Director and I met with our Engineer from Sebago Technics to plan for the salt shed construction. They will dig test pits to confirm the soil bearing capacity and will communicate with DEP to make sure the project meets the remediation of the lagoon site. We will need to generate a funding request for proposals. They hope to get the foundation in by fall.

- Friends of the Waterboro Public Library and the Trustees would like to sit down with the Selectmen and the Parks and Recreation Department to discuss future building plans for a community center?

Selectman Woodsome said that if the over-collected county tax amount is applied to the new year, the taxpayers that sold their property will not recoup the amount they were overtaxed. Mr. Lamb said the advice of the Town Attorney was that this was a legal commitment. Selectman Abbott said that the town is not giving money back and the over collected amount will be applied to the new fiscal year. Chairman Girard asked if we could use the funds to repay the County for the amount we are paying back over the 5 year plan when the County changed their fiscal year. Selectman Gale suggested holding the money for tax abatements. Selectman Abbott said he doesn't see the difference. Mr. Foglio said this occurred two other times when he was Selectman. If the amount of money that was over taxed does not exceed the overlay then he doesn't think anything else has to be done.

NEW BUSINESS

a. Elect the Chairman and Vice Chairman of the Board of Selectmen for 2015-2016:

Selectman Littlefield nominated Dennis Abbott as Chairman, seconded by Selectman Gale. Selectmen Littlefield moved to close nominations, seconded by Selectman Gale, voted and passed. **4 yeas, 1 abstained (Abbott)**. The motion for Dennis Abbott as Chairman was voted and passed, **4 yeas, 1 abstained (Abbott)**. Selectman Gale nominated Gordon Littlefield as Vice Chairman, seconded by Selectman Abbott. Selectman Gale moved to cease nominations, seconded by Selectman Abbott, voted and passed **4 yeas, 1 abstained (Littlefield)**. The motion for Gordon Littlefield as Vice Chairman was voted and passed, **4 yeas, 1 abstained (Littlefield)**.

b. Discuss/vote to approve and sign a Quitclaim Deed for 4 Lazy Brook Lane:

Selectman Woodsome moved to approve and sign a Quitclaim Deed for 4 Lazy Brook Lane, seconded by Selectman Littlefield, voted and passed, **5 yeas**.

c. Discuss the June 9, 2015 Election, the June 13, 2015 Annual Town Meeting and LD1's place on the warrant:

Chairman Girard said the June 9th Election went very well. Selectman Littlefield acknowledged Dwayne Woodsome for his help putting up the signs on Election Day. The Annual Town Meeting had a disappointing attendance, with 42 voting on the LD1 article. Selectman Woodsome said he counted 53 people but some of them may not have been able to vote. Selectman Littlefield said a couple of people came in after the LD1 vote. Selectman Abbott said that the turnout is frustrating to say the least. Selectman Woodsome said it was a hardship for people to walk to the building to vote on Election Day and wondered if voting could be held here. Mr. Lamb indicated that this room would be too small and parking would be an issue. Selectman Abbott said that the LD1 vote seems an exercise in futility. A referendum vote may not resolve this. Mr. Lamb said even experienced people have difficulty determining LD1. Mr. Foglio said if the assessor

devalues the town as we have discussed, it will throw LD1 into a mess due to the lower valuations. Mr. Foglio said there was confusion on where to go for Annual Town Meeting. It should be held at the same location as the voting on Election Day. He suggested holding elections and town meetings at the Central Fire Station. Selectman Abbott said we should look at establishing consistency. Selectmen Littlefield disagreed with using Central Station due to public safety concerns. Selectman Abbott said this November's Election is an off year and it would be better to consider the creation of a Charter Commission in June.

d. Discuss/vote to schedule a public hearing for a proposed amendment to the Zoning Ordinance Article 2, Section 2.08: Selectman Woodsome moved to schedule a public hearing for a proposed amendment to the Zoning Ordinance Article 2, Section 2.08 for July 14th, seconded by Selectman Abbott, voted and passed, **5 yeas**.

e. Discuss/vote to schedule a workshop for implementation of the Comprehensive Plan: Selectman Abbott moved to hold a workshop on July 21st at 6:30 pm and invite members of the 20/20 Cmte and chairs of all other boards committees to attend, seconded by Selectman Littlefield, voted and passed, **5 yeas**.

f. Discuss/vote to accept a committee member's resignations: Selectman Abbott moved to accept the resignation of John Wade from the Public Safety Committee and from the Economic Development Committee, seconded by Selectman Woodsome, voted and passed, **5 yeas**.

g. Discuss/vote on board and committee reappointments: Selectman Littlefield moved to reappoint Katie Mann to the Planning Board, Shawn Shoemaker to the Zoning Board of Appeals, Bob Gobeil to the Parks & Recreation Committee and to the Transfer Station/ Recycling Committee, Mike DeAngelis to the Fair Hearing Committee, Carol Fletcher to the SRCTV Board, and David Lowe to the SRCTV Board, seconded by Selectman Gale, voted and passed, **5 yeas**.

h. Discuss/vote to appoint Glenn Charette as the Code Enforcement Officer, Building Inspector and Licensed Plumbing Inspector: Selectman Littlefield moved to appoint Glenn Charette as the Code Enforcement Officer, Building Inspector and Licensed Plumbing Inspector, seconded by Selectman Abbott, voted and passed, **5 yeas**.

i. Discuss Selectmen's Board and Committee Liaisons for 2015-2016: Selectmen's Board and Committee Liaisons for 2015-2016 will be as follows: Transfer Station/Recycling Committee Liaisons – Dennis Abbott & Jon Gale, Planning Board Liaison – Dennis Abbott, Library Board of Trustees Liaison – Jon Gale, Parks and Rec Cmte Liaison – Jon Gale, Cemetery Committee Liaison – Dwayne Woodsome, Conservation Commission Liaison – Tammy Jo Girard, Economic Development Committee Liaison – Dennis Abbott, Road Review Committee Liaison – Tammy Jo Girard, Public Safety Committee Liaison – Gordon Littlefield, Community Garden Committee Liaison – Jon Gale, 12 Town Group – Tammy Jo Girard, EcoMaine Representative – Dennis Abbott, Southern Maine Planning and Development Commission Rep. Tammy Jo Girard, 6 Town RSU #57 Group – Gordon Littlefield, Old Home Days Committee – Gordon Littlefield.

j. Discuss plans for the Town Administrator's annual review: Selectman Abbott will provide the evaluation forms for Selectmen to complete and will then collect them.

OLD BUSINESS: None.

OTHER

a. Discuss/vote to approve the minutes of the June 2, 2015 regular meeting:

Selectman Abbott moved to approve the minutes of the June 2, 2015 regular meeting, seconded by Selectman Littlefield, voted and passed, **4 yeas, 1 abstained (Woodsome).**

b. Discuss/vote to approve the minutes of the June 13, 2015 Annual Town Meeting:

Selectman Littlefield moved to approve the minutes of the June 13, 2015 Annual Town Meeting, seconded by Selectman Gale, voted and passed, **4 yeas, 1 abstained (Woodsome).**

PENDING DECISIONS:

a. Discuss strategies for implementing the Comprehensive Plan.

WEEK’S ACTION LIST:

- Arrange for the July 21st workshop
- Prepare a list of board and committee vacancies
- Advertise for a public hearing for the zoning ordinance amendment 2.08

DISCUSSION OF AGENDA ITEMS

- Discuss additional athletic field space
- Schedule a workshop for ordinance review
- Hold a public hearing for the zoning ordinance amendment 2.08

ITEMS NEEDING SIGNATURE

- a. Minutes of the June 2, 2015 Regular Meeting
- b. Minutes of the June 13, 2015 Annual Town Meeting
- c. Quitclaim Deed for 4 Lazy Brook Lane

ADJOURN: Selectman Woodsome moved to adjourn the meeting at 8:08 pm, seconded by Selectman Abbott, voted and passed, **5 yeas.**

APPROVED: Date: _____
