

SELECTMEN'S MEETING MINUTES
August 21, 2012

Executive Sessions: Selectman Littlefield moved to go into executive session per Title 1 M.R.S.A. § 405(6)(A) to meet with a Committee applicant at 5:30 pm, seconded by Selectman Gale, voted and passed, **4 yeas**. Selectman Girard moved to come out of executive session, seconded by Selectman Littlefield, voted and passed, **4 yeas**.

Selectman Girard moved to go into executive session per Title 1 M.R.S.A. § 405(6)(F) to discuss a poverty abatement application at 5:46 pm, seconded by Selectman Gale, voted and passed, **4 yeas**. Selectman Littlefield moved to come out of executive session, seconded by Selectman Girard, voted and passed, **4 yeas**.

PRESENT: Chairman Abbott, Selectmen: Gale, Girard & Littlefield, Cindy Durney, Steve Levy, Dee Lebel, Bob Gobeil, Todd Smith, Doug Foglio, Sr., Dianne Holden, Jim Carll, Dwayne Woodsome, Dave Benton, John Vacari, Pam Witman, Tom Ursia, Bob Powers, Steve Ross, Nancy Brandt, Christina Silberman & David Lowe.

Chairman Abbott opened the meeting with the Pledge of Allegiance at 6:03 pm.

ANNOUNCEMENTS: Selectman Gale reported on the passing of Esther Smith and he read some words written by Linda Hanscom. Chairman Abbott reported that the town will begin lowering Little Ossipee Lake immediately following Labor Day in order to do work to the dam and the boat launch. The boat launch will be closed sometime early to mid-September for repairs that must be completed by October 1st when the permit expires. If you have a boat (in the lake), take it out right after Labor Day. The lake will be drawn down to a significantly low level to allow repairs to be made to the dam gates.

APPOINTMENTS:

1. Charter Review Commission proposed Town Charter revision final draft

presentation: Selectmen's Chairman Abbott stated that the final draft of the proposed Town Charter revisions has been reviewed by the Town Attorney. Charter Review Commission Chairman Todd Abbott indicated that there was a small change to section 212. Commission member Dianne Holden indicated that the final draft is the one dated 8/14/12. Selectmen's Chairman Abbott indicated that the Board will vote to accept the final draft and schedule a public hearing later on tonight's agenda and thanked the Charter Review Commission for their work.

2. Steve Levy of Maine Rural Water to discuss water projects: Steve Levy, Executive Director of Maine Rural Water Association spoke about water quality issues at the Elementary School. The water at the school has arsenic, lead and copper in it. The school has been dealing with this for a number of years by bringing in bottled water for drinking. Mr. Levy has been working with the school and they received a small system grant that was used to run a surface line from the Middle School to the Elementary School to see if this will solve the problem. They have not seen the results yet but are cautiously optimistic. If this has worked, they are looking at doing a water main extension from the Middle School to the Elementary School. Mr. Levy said that he has heard that there may be an interest in continuing this proposed extension to the fire station and the town hall. He is looking into applying for a Community Development Block Grant (CDBG). This is a public infrastructure grant (PIG) and is a competitive grant based on need and economic

status of households. Only the town can apply for this grant. Mr. Levy said that the town would not normally qualify for this kind of grant. We would have to show that there is an economic need among the households along the proposed route by doing an income survey. Waterboro has historically not been eligible for these but because it is a small area to survey there is a better chance that the town would qualify. Mr. Levy shared a letter he wrote to the Waterboro Water District regarding a proposed plan. He said he would ask the Waterboro Water District, on behalf of the Selectman, to provide a cost estimate for the extension. Mr. Levy said if the town is interested in doing an extension it would cost approximately \$300,000 and he would move forward with the income survey. A PIG grant would fund up to \$500,000 would require a 25% match. Selectman Littlefield asked for more info about the income survey. Mr. Levy said it would be a survey of the residences along the proposed extension. The survey would have to show that 51% or more of the households are low to moderate income in order to qualify and he would be able to determine quickly if the town would qualify. Selectman Gale commented about the 20/20 Committee's work and if there would be competition with this grant. This is the year that the 20/20 Committee is looking into water and he wondered how this all fits. Town Planner and 20/20 Committee Co-Chair Tom Ursia said this would fit into the 20/20 research and infrastructure analysis they are doing. Key points are early determination of eligibility and, if accepted, there would have to be evidence of a guarantee of who would participate in the matching monies. Another factor is how many applications are submitted for the grant "pot of money". Mr. Levy said that he has spoken with the CDBG office and on the surface Waterboro is too affluent to do a survey but he could request a waiver to do the survey. Mr. Levy said the key to success is to start early and line up the ducks. Selectman Girard asked about the cost of the survey and who would pay for it. Mr. Levy said it would be approximately \$3,000 and it would be the town and/or the school that would be responsible for this. Mr. Levy said that the school could apply for a consolidation grant that would be for up to \$100,000 and then they would have to figure out how to pay for the other \$200,000. Selectman Littlefield asked if we could apply for other grants also and Mr. Levy replied that there are different pots and it would not preclude you from looking for other money from other programs. Bob Powers asked about the survey cost. Mr. Levy explained that there is a waiver process requiring research and statistical work that would come after and he thinks the survey would be 30-40 residences and it is quite a process. Selectman Littlefield asked about the timeframe and Mr. Levy said the grant award would come out next March-April and the work would be next construction season. Chairman Abbott asked about RSU 57's course of action and if the temporary line will stay. RSU 57's Business Manager Dee Lebel said if the tests are good, they will keep the line until October. Mr. Lebel said they spent \$25,000 for bottled water last year. The school has to move forward whether or not the town wants to participate in the extension. They can discuss sharing costs going forward. Selectman Littlefield asked if the Water District could participate in funding the survey also. Mr. Levy said that the statute prohibits the Water District from investing in main extensions. Chairman Abbott stated that the Water District Trustees could change this and Mr. Levy referenced chapter 65. Mr. Levy said the first hurdle is the income survey and if you don't make it with the survey then you don't submit the application. Selectman Girard commented that the town has already set a tight budget for the year and we have to look at how we would fund this. Mr. Levy said the survey would be approximately \$3,000 and the school district could possibly share this cost. The Board agreed to have Mr. Levy move forward to obtain the cost estimate from the Water District.

HEARING OF DELEGATION: None

CORRESPONDENCE: Chairman Abbott reviewed the following correspondence:

1. Treasurer's Weekly Financial Reports
2. Rep. Libby's newsletters
3. Transfer Station – Recycling Committee report of 8/14/12
4. Memo from Nancy Brandt to the Planning Board re: 8/29/12 executive session
5. Introduction Letter from Bernstein Shur
6. EcoMaine recycling reports
7. Letter from York County Commissioners re: Caucus attendance by all Selectmen
8. Letter from Town of Alfred to York County Manager re: County Commissioners chairing the caucuses with information on York County Commissioners and copy of Title 30-A M.R.S.A. §831-836 re: York County Budget Committee
9. Public Advisory from Maine Department of Agriculture, Food and Rural Resources re: free pesticides disposal
10. Letter from Atty. Ken Cole issuing his formal opinion regarding proposed revisions to the Town Charter
11. **CONFIDENTIAL** Memo from the Town Administrator to the Selectmen
12. Information on cisterns in Waterboro as requested from Tina Smith

REPORTS & STAFF INITIATIVES:

Old Home Days: Cindy Durney, Old Home Days Committee Chairman, reported that Old Home Days was a wonderful event. They had great attendance and weather. Ms. Durney reviewed the budget expenditures and revenues. They were appropriated \$19,700 and spent \$18,662.22. They raised \$5,815.22. Ms. Durney reported that there was wonderful support from the community with donations from Subway, Merrill's, House of Pizza, Waterways, Poland Springs, JD's, and Hannaford. Ms. Durney said she is concerned that they only have 5 members on the Committee and it is hard to do an event like this with so few people. Ms. Durney asked for more volunteers. They will meet again in October to complete their budget for next year and then will meet January through June. They are putting together a procedure manual will forward it to the Selectmen when completed. They had two bus trips as fundraisers that were not planned for and were very successful. Ms. Durney asked how to show the cost of the bus rental. Chairman Abbott replied that the expense for the bus rental should show in the expenses even though the revenues covered the cost. Chairman Abbott expressed appreciation to the Old Home Days Committee on behalf of the Board and stated that they deserve all the kudos in the world for such a small group putting in so many hours. Chairman Abbott asked that people consider serving on the Old Home Days Committee.

20/20 Master Planning Committee: Town Planner and 20/20 Committee Co-Chairman Tom Ursia said that the 20/20 Committee is very appreciative that the Selectmen appointed a new member to the 20/20 Committee who is also a member of the Planning Board. He urged the public to attend the 20/20 Committee meetings. Mr. Ursia said that based on the Town Administrator's advice, the Committee placed the RFP (request for proposals) on Maine Municipal Association's website. They received two proposals, one from Sewall Co. and one from Wright Pierce. They are very pleased with the quality of these two firms. The Committee will be able to stay within budget and perhaps stretch their dollars further. The Committee is meeting next Monday (8/27) to compose questions

to send to the consultants and they expect a rapid response. The will meet again on September 10th and will develop a recommendation for the Board of Selectmen that will be presented on September 11th. 20/20 Committee Co-Chairman Bob Powers added that the Committee is delighted with the end product that either of the two firms will provide. This will be beneficial information to many individuals and the boards & committees in town. It will be comprehensive and will include the whole town. The Planning Board has enthusiastically joined them and this will be very beneficial to the Committee and the overall product. They have made an effort to include the Water District by asking the Trustees to join them at their meeting on August 27th to review the proposals and provide their input. The 20/20 Committee has also asked if one of the Water District Trustees will continue to work with them going forward. The Board thanked the Committee for their time and effort.

Assessor's Agent – Discuss/vote to approve the Certification of Assessment:

Assessor's Agent Jerry Daigle explained that this is a formality to commit the taxes. Selectman Girard moved to approve the certification of assessment, seconded by Selectman Gale, voted and passed, **4 yeas**. Mr. Daigle noted that the bills will be mailed by Sept. 7th and payments will be due October 5th & April 5th.

Selectmen's reports: Selectman Girard reported that the 12 Town Group met last night and they discussed a lot of topics. Geoff Herman from MMA was a guest speaker and discussed the Unified Building and Energy Code and issues that some towns are seeing. A member of our Planning Board attended and said he enjoyed the presentation. Selectman Girard shared copies of a packet of information she received with the Board. They discussed the legislative agenda for the next session. She asked that the Board complete the legislative policy survey and return it to Kate Dufour at MMA. Doug Foglio, Sr. was also a guest speaker and he discussed road turn backs from DOT. He did a very good presentation. The 12 town group voted to ask the Legislative Policy Committee (LPC) to discuss changes to the statute that dictates what the DOT has to do when a road is turned back to a community. Changes to the law would be beneficial to all communities in the long run. MMA will work with individual communities to propose bills and write the language, even if the LPC doesn't wish to pursue this. They discussed the York County Budget Committee. The Budget Committee has been in effect for 20 years and the caucus to elect municipal officials to serve on the Budget Committee has always been called by the Chairman of the Budget Committee, currently John Sylvester. After hearing some information, Mr. Sylvester met with County Manager Gregory Zinser regarding the County's plans for this year's caucus to be called and chaired by the County Commissioners. Mr. Sylvester has called a caucus for September 5th and the County Commissioners have called a caucus for September 19th. The statute is very clear that the Budget Committee is a municipal project and the County Commissioners should not have any say in the process. The 12 Town Group moved to spend up to \$5,000 for legal assistance. MMA has said that the 12 Town Group is not a client so they cannot issue an opinion. Selectman Girard suggested that individual towns that are clients of MMA may be able to seek an opinion and Mr. Sylvester is going to look into this. Selectman Girard asked how the Board feels about the 12 Town Group spending up to \$5,000. Chairman Abbott said he felt that individual member towns of MMA could ask for legal advice first. When all is said and done it is a reasonable expenditure. Selectman Girard said that some towns are sending a letter to the Commissioners saying they will acknowledge the caucus called by the Chairman of the Budget Committee and will not attend the caucus called by

the Commissioners. She suggested Waterboro do this also and will draft a letter for the Board to review next week. Selectman Girard reported that Logan Circle had a washout and part of it is impassable. There was a home under contract there and when the bank did their inspection they denied the loan based on the condition of the road. Selectman Girard has contacted York County Soil & Water Conservation to see if they could do a workshop on forming road associations and they will look into it. She asked if the Board would consider hosting this and paying the cost if it is only a couple hundred dollars.

Selectman Littlefield commented on outbreaks of the West Nile Virus and urged people to use products that reduce the likelihood of mosquito bites. Selectman Littlefield gave a reminder that over 5,000 bicyclists will be riding through town on August 26th as part of a triathlon. They will be traveling along South Waterboro Rd., Hamilton Rd. and Route 202.

Selectman Gale said that on Thursday afternoon at 3 pm 9,000 lbs. of food will be delivered to St. Stephens Church and they are looking for volunteers to help.

Town Administrator report: Ms. Brandt reported that the upstairs meeting room is nearly cleaned out and will soon be available for use. They have removed 160 boxes of old records. The Library painting will begin right after Labor Day and they anticipate the work will take 3 weeks. They have done selective bidding for the paving contract. The tax club application deadline is September 1st. Ms. Brandt said she met today with Chief Bors, Dep. Chief Bennett and Scott Davis of Lake Arrowhead to discuss the fire hydrants. They are working to prepare an MOU (Memorandum of Understanding) and will be meeting again next Tuesday and hope to have the MOU as an agenda item for September 4th.

NEW BUSINESS:

- 1. Discuss/vote on Committee appointments:** Selectman Gale moved to appoint Dwayne Prescott to the Planning Board, seconded by Selectman Girard, voted and passed, **4 yeas**. Selectman Girard moved to reappoint Carol Fletcher to the SRCTV Board, seconded by Selectman Gale, voted and passed, **4 yeas**.
- 2. Discuss/vote to accept the final draft of the proposed Charter revision and schedule a public hearing:** Selectman Littlefield moved to accept the final draft, seconded by Selectman Gale, voted and passed, **4 yeas**. Selectman Girard moved to schedule a public hearing for September 11, 2012 at 6 pm to discuss all of the local referendum questions, seconded by Selectman Gale, voted and passed, **4 yeas**.
- 3. Discuss/vote to extend the West Road sidewalk plowing contract and add the town office sidewalks:** Selectman Littlefield moved to extend the West Road sidewalk plowing contract and to add the town office sidewalks, seconded by Selectman Girard, voted and passed, **4 yeas**.
- 4. Discuss/vote on changes to the Internet and Electronic Mail Policy:** Selectman Girard moved to approve the changes to the Internet and Electronic Mail Policy, seconded by Selectman Littlefield, voted and passed, **4 yeas**.

OLD BUSINESS: None

OTHER:

- Moved by Selectman Littlefield to sign warrants for bills and payroll, seconded by Selectman Girard, voted and passed, **4 yeas**.
- Moved by Selectman Littlefield to approve the minutes of the 8/14/12 regular meeting, seconded by Selectman Girard, voted and passed, **4 yeas**.

PENDING DECISIONS

1. Public Service Announcements

2. Review Driveway Opening Permit language

3. Board & Committee status

4. Internet and Electronic Mail Policy revisions: This item was approved this evening and will be removed from the pending items.

5. Barriers to prohibit vehicles from driving on the public beach

6. Boat launch repair funding: Ms. Brandt said that this can come out of the contingency fund. This item is now completed and will be removed from the pending items.

7. Cistern maintenance: Chairman Abbott thanked Tina Smith for gathering the information in their packet and would like to know who owns the lot where each cistern is located.

WEEK'S ACTION LIST:

DISCUSSION OF AGENDA ITEMS:

Letter to the County Commissioners

Chairman Abbott read the reminders.

ADJOURNMENT: Selectman Gale moved to adjourn the meeting at 7:46 pm, seconded by Selectman Girard, voted and passed, **4 yeas**.

SIGNED:

1. Warrants for bills & payroll

2. Minutes of 8/14/12

3. Certification of Assessment

APPROVED: Date: _____
