

**Minutes of the Waterboro Board of Selectmen Meeting
March 12, 2019 at Waterboro Town Hall**

6:00 p.m. Regular Meeting

PRESENT FOR MEETING: Selectmen, Dennis Abbott, Tim Neill, Ted Doyle, and Dwayne Woodsome. Gordon Littlefield was absent. Also in attendance were Gary Lamb, David Lowe, Julie Giles, Clint Andrews, Tammy Wells and approximately 25 people from the public.

1. PLEDGE OF ALLEGIANCE

Chairman Abbott opened the meeting at 6:04 p.m. with the Pledge of Allegiance.

2. PUBLIC HEARINGS

- a. Public Hearing is to receive comments regarding a proposed ATV ordinance.

Chairman Abbott opened the public hearing at 6:05 p.m.

Peter Hasler expressed his concerns regarding allowing ATVs on abandoned roads. He explained what an abandoned road is and the difference between a normal easement and recreational easement. It was noted that there are no abandoned roads included in the proposed ordinance and the ordinance addresses public ways only. Gary Lamb thanked him for his comments.

Dan Johnson commented that abandoned roads are an issue and wanted clarification that this ordinance addresses three public roadways only as listed.

Mark Berry commented that a few years ago there was a temporary time for ATV usage on Deering Ridge Road and it stopped. He has trouble accessing the trails and would like to see that road opened up again.

Frank Faith commented that a while back officials recommended using Townhouse Road and questioned the status of this recommendation. In response, it was reported that the State of Maine will not allow the use of ATVs on Townhouse Road. Mr. Faith noted that when the ATVers used Deering Ridge Road, he had repeated instances where they would park in front of his house, rev the machine up and take off on two wheels. He questioned who would be enforcing the ordinance. In response, York County Sherriff's Department has to enforce our local ordinance and the State has jurisdiction to enforce State laws. Mr. Faith also expressed his concerns for safety on the roadway.

Gerry Filliger asked for clarification that McLucas Road Extension is not included in this ordinance. In response, it was noted that only the improved section of McLucas Road is included.

Andrea Valway questioned whether the language in Section III, G negates the language in Section III, A. She would like to see this language changed to make it clearer as to the intent.

Ivy Hasler commented on the Town's Charter requiring ordinances to adhere to State laws. She felt that this ordinance does not follow State laws. In response, Game Warden Carleton Richardson noted that this ordinance is allowed pursuant to the provisions of 12 M.R.S.A. Section 13157-A(6)(H).

Todd Abbott thanked the Board of Selectmen for working with the ATV group in establishing this ordinance. He looks forward to the next public hearing.

Chairman Abbott closed the public hearing at 6:45 p.m.

3. ANNOUNCEMENTS

4. ADDITIONS OR DELETIONS TO AGENDA

5. APPOINTMENT

6. PUBLIC COMMENTS

7. CORRESPONDENCE

- a. Treasurer's reports
- b. Motor Vehicle and Excise Tax reports
- c. Senator Woodsome's Newsletter

8. REPORTS & STAFF INITIATIVES

- a. Selectmen's reports

Tim Neill commented on the upcoming online auction that the Library is holding on April 27, 2019. They will have some nice things and more information is available on Facebook.

- b. Town Administrator Gary Lamb's report

Town Administrator Gary Lamb's report was delivered as follows:

- **Budget Committee update** - A workshop with Selectmen was held March 4th and most of the discussion concerned the Capital Improvements section. Budget Committee meeting #9 will be held Mar 14th to review my latest changes to the CIP section which resulted in about \$100K in reductions to my previously

recommended spending. The Budget Committee can then make their final decisions.

- **Transfer Station contract** - Our RFP and draft contract for trash hauling services went out to bid Feb 21 and submissions were due by 5:00 p.m. March 12th. Bids were opened at that time and tabulated for initial presentation tonight. The Town received one bid and we were hoping for at least three or four. The net to the Town that we had been paying was around \$77,000. The bid received today is over \$150,000.
- **Water Pollution Tabletop Exercise** - nearly 50 people attended this workshop run by Maine Rural Water Association and hosted by our Massabesic Lions Club. Limerick Water, Lake Arrowhead Supt., Waterboro FD and Water District, KKW Water District, Sanford WD, Mapes Oil, York County Sheriff Dept., Maine Water Company, CMP, EMA, DEP, Hannaford, Maine Dept. Agriculture, and others attended and participated. The accident scenario was a large Mapes oil tanker had flipped over just north of Lions Club on 202, spewing gasoline and diesel but no fire and the driver self-extricated. Our fire department showed its experience and performed very well as a team showing how the incident command should be set up and run....very nice to see. When CMP cut power to a multi-town area because of the fire danger from leaking gasoline, that is when the lack of generators at our two water district pumping stations really stuck out....food for thought there.
- **Elections** - Nomination papers for Selectman, Water District and School Board are available March 13th...and due back by 5:00 p.m. April 26th.
- **Deputy Town Clerk** - Christine Torno has achieved the designation as a Certified Clerk of Maine. She will be recognized in September by the Statewide Clerks' Association.

9. NEW BUSINESS

- a. Discuss/vote to set another public hearing date for the proposed ATV ordinance.

The Board of Selectmen chose April 9, 2019 for another public hearing on the proposed ATV ordinance.

- b. Preliminary discussion on the proposed 2019/20 budget.

Dwayne Woodsome commented that he would like to see stipends put in the budget for board and committee members. It was decided to hold a public hearing prior to the Selectmen's vote and another mailing should be sent out. There will also be a workshop at 5:00 p.m. on March 19th to discuss the proposed budget. There is also a meeting scheduled on March 21st at 4:00 p.m. with the RSU #57 six town selectmen.

- c. Presentation of initial results of trash hauling bid submissions.

The Town received one bid and it came in at almost double the cost of what is currently being spent on these services. We will look into getting a cost for purchasing a truck.

- d. Discussion concerning Town Attorney's clarification on budget funds transfers. **The Selectmen were presented an email from the Town's Attorney stating that the Selectmen have the authorization to move unencumbered appropriations between general classifications of expenditures within a department or agency during the last three months of the fiscal year and with the CIP funds, the Selectmen have the authority to switch to another capital project.**
- e. Discussion concerning a Road Entrance Appeals Board.

This item was brought forward by Dwayne Woodsome after review of the Highway Entrance Ordinance that requires the establishment of a Road Entrance Appeals Board. The board is to include a member from the Board of Selectmen, the Public Safety Committee and the Road Review Committee. Gary Lamb suggested amending the ordinance to say a member of the Public Safety Committee or a Waterboro citizen with road building experience and a member of the Road Review Committee or a Waterboro citizen with road building experience. Gary Lamb will contact Nancy Roberge and George Harnois concerning appointing them to the Road Entrance Appeals Board and this item will be discussed at the next meeting.

10. OLD BUSINESS

11. OTHER

- a. Discuss /vote to approve the minutes of the February 26, 2019 regular meeting.

Dwayne Woodsome made a motion to approve the minutes of the February 26, 2019 regular meeting. Ted Doyle seconded. The motion passed 4-0.

- b. Discuss /vote to approve the minutes of the March 5, 2019 special meeting.

Dwayne Woodsome made a motion to approve the minutes of the March 5, 2019 special meeting. Ted Doyle seconded. The motion passed 4-0.

12. PENDING DECISIONS

13. WEEK'S ACTION LIST

The Town Administrator is to talk with Nancy Roberge from the Public Safety Committee and George Harnois from the Road Review Committee concerning appointments to the Road Entrance Appeals Board.

14. DISCUSSION OF AGENDA ITEMS

**Appointments to the Road Entrance Appeals Board.
Selectmen's workshop on March 19th to discuss the proposed 2019/20 budget.**

Public Hearing on April 9th on the proposed ATV ordinance.

15. ITEMS NEEDING SIGNATURE

- a. Minutes of the February 26, 2019 regular meeting
- b. Minutes of the March 5, 2019 special meeting

16. REMINDERS

17. ADJOURN

Dwayne Woodsome made a motion to adjourn the meeting. Ted Doyle seconded. The motion passed 4-0. The meeting adjourned at 7:20 p.m.

These minutes were approved by the Waterboro Board of Selectmen on March 26, 2019.

_____/s/_____
Dennis Abbott

_____/s/_____
Dwayne Woodsome

_____/s/_____
Gordon Littlefield

_____/s/_____
Tim Neill

_____/s/_____
Ted Doyle