

**Minutes of the Waterboro Board of Selectmen Meeting  
September 12, 2017 at Waterboro Town Hall**

**5:30 p.m. – Executive Sessions -- 6:00 p.m. Regular Meeting**

5:30 p.m. – Executive Session pursuant to 1 M.R.S.A §405 (6)(A), to interview an applicant for the Parks and Recreation Committee.

**A motion was made by Ted Doyle to enter into executive session at 5:31 p.m. Tim Neill seconded. Motion passed 4-0 (Littlefield absent).**

**Dwayne Woodsome made a motion to come out of executive session at 5:39 p.m. Ted Doyle seconded. Motion passed 4-0.**

**Gordon Littlefield arrived at 5:39 p.m.**

5:45 p.m. – Executive Session pursuant to 1 M.R.S.A §405 (6)(A), to interview an applicant for the Economic Development Committee

**Dwayne Woodsome made a motion to enter into executive session at 5:41 p.m. Gordon Littlefield seconded. Motion passed 5-0.**

**Dwayne Woodsome made a motion to come out of executive session at 5:50 p.m. Gordon Littlefield seconded. Motion passed 5-0.**

**PRESENT:** Selectmen Dennis Abbott, Tim Neill, Dwayne Woodsome, Gordon Littlefield and Ted Doyle. Also in attendance were Gary Lamb, David Lowe, Julie Giles, Glenn Charette, Dave Benton, Todd Smith, Shirley Bartlett, Lee Jay Feldman, and 8 members from the public.

**1. PLEDGE OF ALLEGIANCE**

**Chairman Abbott opened the meeting at 6:00 p.m. with the Pledge of Allegiance.**

**2. PUBLIC HEARINGS – to hear public comment on proposed amendments to the Zoning Ordinance, Article 3, Section 3.01 regarding retail marijuana establishments.**

**Dennis Abbott outlined the history of the proposed amendments and opened the public hearing at 6:05 p.m.**

**Tim Neill commented that the Planning Board voted unanimously to approve the amendments.**

**There were no public comments and the public hearing closed at 6:06 p.m.**

### 3. ANNOUNCEMENTS

Gary Lamb announced that the Waterborough Historical Society is holding its 9th Annual Chili, Chowder & Apple Dessert Contest. It will be on Saturday, September 16<sup>th</sup> at the Grange Hall located on West Road. The public is invited to attend the 'tasting' of the entries at 5 p.m.

### 4. ADDITIONS OR DELETIONS TO AGENDA

Ted Doyle made a motion to add to the agenda as #9i, approval of municipal quit claim deeds. Gordon Littlefield seconded. The motion passed 5-0.

### 5. APPOINTMENT

### 6. PUBLIC COMMENTS

### 7. CORRESPONDENCE

- a. Motor Vehicle and Excise Tax reports
- b. Maine DEP Annual Obsolete Pesticide Collection
- c. ecomaine recycling reports

### 8. REPORTS & STAFF INITIATIVES

- a. Selectmen's reports
- b. Town Administrator Gary Lamb's report

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

- **Free Pesticide disposal** by Maine DEP and others in greater Portland in October (usually third week or later). Pre-registration is required to dispose...register by Sept 30...call 287-2731 or email pesticides @maine.gov. Location will be announced after all registrations are in.
- **Tree Growth information** - Assessor Shirley Bartlett is investigating how to make TRIO show to the public whether or not a parcel is in tree growth tax program. Stay tuned FMI on progress.
- **Workman's Comp dividend** - We recently received a \$2,726.00 check from MMA Risk Management because of our low claim/low loss experience rating and ongoing loss prevention programs. MMA operates three self-funded insurance pools for Maine towns, WC, Property and Casualty, Unemployment with possible dividends to towns with above average performance in low claims.

### 9. NEW BUSINESS

- a. Discuss/vote to set tax mill rate.

**Shirley Bartlett put together and presented the following three options:**

- #1 - \$15.44 - 1.3% increase - with \$83,618.86 overlay
- #2 - \$15.47 - 1.5% increase - with \$105,445.75 overlay
- #3 - \$15.50 - 1.7% increase – with \$127,272.63 overlay

**Dwayne Woodsome made a motion to approve Option #1 for a tax rate of \$15.44. Tim Neill seconded. The motion passed 5-0.**

- b. Discuss/possible vote on whether or not to support ATV Club's request to MDOT for ATV use on Townhouse Road.

**Todd Abbott outlined the request and the need of Board of Selectmen's endorsement in order to submit the application.**

**Dave Benton questioned, that if approved, will the Town be responsible for repairs?**

**Ross Dindio questioned whether they will be traveling on the pavement and what the liability would be?**

**Gordon Littlefield commented that he would like to hear from residents on Townhouse Road.**

**Tim Neill commented that the State would most likely have public hearings etc. prior to approval of the request.**

**Tim Neill made a motion to support the Ossipee Mountain ATVERS club's application for an ATV access route on Townhouse Road. Ted Doyle seconded. The motion passed 4-0-1 (Woodsome abstained).**

**Todd Abbott also requested permission for ATV use on Deering Ridge Road for an Annual Fright Night Ride on October 21, 2017. This will be put on the September 26<sup>th</sup> agenda for discussion. Postcards will be mailed to the abutters regarding this meeting.**

- c. Discuss/possible vote on proposed amendments to the Zoning Ordinance, Article 3, Section 3.01 regarding retail marijuana establishments.

**Gordon Littlefield made a motion to approve the ordinance as written. Tim Neill seconded. The motion passed 5-0.**

- d. Discuss/vote to approve Town Administrator's recommendation concerning the DPW Director hiring.

This item was discussed as follows:

**Dennis Abbott - Discuss/vote, Item 9d, Discuss/vote to approve Town Administrator's recommendation concerning the DPW Director hiring.**

**Gary Lamb - Yep I would inform the public that we had 7 applications for this job which is the part-time job which is now 20 hours a week, will be to full-time. I officially pulled the trigger on that because I think that you folks need to actually approve this by charter. It requires the Board of Selectmen to approve my recommendation. We had an interview team of three people; myself, Matt Bors and Ted Doyle. And we interviewed three applicants of the 7 that came in. There was one late application. And it was a unanimous choice to recommend that David Benton be selected to be our full-time Public Works Director. David is here tonight if you have any questions of myself or him. Other than that, that is the question before you this evening.**

**Gordon Littlefield - Mr. Chairman, I would move that we accept the Town Administrator's selection of David for Director of Public Works.**

**Dennis Abbott - It has been moved, do I have a second?**

**Ted Doyle - I'll second it.**

**Dennis Abbott - seconded by Mr. Doyle, any discussion?.**

**Dwayne Woodsome - I got just a little bit.**

**Dennis Abbott -Ok.**

**Dwayne Woodsome -You had 7 applications. Out of that 7, you had one that was interviewed before and he didn't even get a chance to interview with you. I don't feel that you used those 7 applications, or even 6, if one of them was late properly.**

**Gary Lamb -the 8<sup>th</sup> one was late.**

**Dwayne Woodsome -Ok, there are 7 of them. One of them was interviewed the last trip through and was told that he was the second choice if the first one didn't take it. And this fella didn't even get an interview.**

**Gary Lamb -You have to remember this is a completely different job.**

**Dwayne Woodsome -I realize that, but here's an applicant that, it was 20 hours, it's gone to 40. If he was second choice at that time and he didn't get an interview, I think there is a problem in your way of hiring, Mr. Lamb.**

**Gary Lamb -Well, if you had seen the applications, I think it was very clear. I showed them to Mr. Doyle. He can comment on that in terms of whether or not we selected the right 3.**

**Dwayne Woodsome - I have some other problems with the way you have been operating in the last two weeks, but we'll handle them at a later date here, but I just don't feel that you handled this correctly.**

**Gary Lamb - You don't have all the information either.**

**Dwayne Woodsome - Well I got a lot of it and I got enough of it.**

**Gary Lamb - What you need to do is to look at the applications.**

**Gordon Littlefield - Mr. Chairman, if we are going to discuss personnel issues, if we put this aside and go into executive session later.**

**Dennis Abbott - I guess so, if there are any personnel issues that we need to talk about then we need to go into executive session with regard to that.**

**Gary Lamb - That's fine.**

**Dennis Abbott I think the question here is to accept the Selectmen's, I mean the Town Administrator's recommendation and if that is certainly defeated then we will deal with that. If that's because if we don't believe the administrator did an appropriate screening. But I guess the discussion process is that whether or not we endorse the recommendation.**

**Gary Lamb – I guess that I would defer to Mr. Doyle. Does he have any comments?**

**Ted Doyle – Based on what a read through on the 7 applications, the three that we interviewed stood out above and beyond the other 4. I don't see there is an issue with any of this and the recommendation I believe that at the end of the day, I was the first one to say that Mr. Benton was the number 1 choice based on what was on paper that day.**

**Dennis Abbott - OK. Any other comments? If not, I am going to call for a vote. All those in favor endorsing the administrator's decision. Please signify. All those opposed.**

**Dwayne Woodsome – I abstain.**

**Dennis Abbott - The motion carried 4-0. You're going to abstain, Dwayne?**

**Dwayne Woodsome – Yep.**

**Dennis Abbott – So that is done. Welcome aboard, David.**

**Gordon Littlefield made a motion to approve the Town Administrator's recommendation of Dave Benton as the DPW Director. Ted Doyle seconded. The motion passed 4-0-1 (Woodsome abstained).**

- e. Discuss/vote on an appointment of an ex-officio member of the Economic Development Committee for a term to expire June 30, 2019 and discuss ex-officio members voting privileges.

**Tim Neill made a motion to appoint Joseph Nelson as an ex-officio member of the Economic Development Committee for a term to expire June 30, 2019. Gordon Littlefield seconded. The motion passed 5-0.**

- f. Discuss/vote on an appointment to the Parks and Recreation Committee for a term to expire June 30, 2020.

**Dwayne Woodsome made a motion to appoint Craig Richardson as a member of the Parks and Recreation Committee for a term to expire June 30, 2020. Ted Doyle seconded. The motion passed 4-0-1 (Littlefield abstained).**

- g. Review and discuss boards and committees criteria and application form.
- h. Discuss/vote on who to appoint as voting delegates to MMA Annual Meeting on October 4, 2017.

**Gordon Littlefield made a motion to appoint Gary Lamb as official voting delegate at the MMA Annual Meeting. Tim Neill seconded. The motion passed 5-0.**

**Ted Doyle made a motion to appoint Christine Torno as official voting alternate delegate at the MMA Annual Meeting. Gordon Littlefield seconded. The motion passed 5-0.**

- i. Discuss/vote on 5 municipal quitclaim deeds.

**Dwayne Woodsome made a motion to approve municipal quitclaim deeds for Map 003, Lots 012-003, 012-003-001 and 012-002-002. Ted Doyle seconded. The motion passed 5-0.**

**Dwayne Woodsome made a motion to approve a municipal quitclaim deed for Map 32, Lot 001C. Ted Doyle seconded. The motion passed 5-0.**

**Dwayne Woodsome made a motion to approve a municipal quitclaim deed for Map 55, Lot 032. Ted Doyle seconded. The motion passed 5-0.**

## **10. OLD BUSINESS**

### **11. OTHER**

- a. Discuss /vote to approve the minutes of the August 22, 2017 regular meeting.

**Dwayne Woodsome made a motion to approve the minutes of the August 22, 2017 meeting. Gordon Littlefield seconded. The motion passed 5-0.**

## **12. PENDING DECISIONS**

- a. Review Comprehensive Plan task list.

## **13. WEEK'S ACTION LIST**

**MDOT ATV endorsement  
Card to abutters on Deering Ridge Road**

## **14. DISCUSSION OF AGENDA ITEMS**

**Public Hearing on General Assistance Ordinance  
Paper Streets**

## **15. ITEMS NEEDING SIGNATURE**

- a. Minutes of the August 22, 2017 regular meeting

## **16. REMINDERS**

## **17. ADJOURN**

**Dwayne Woodsome made a motion to adjourn the meeting. Gordon Littlefield seconded. The motion passed 5-0. The meeting adjourned at 7:09 p.m.**

**Gordon Littlefield made a motion to reconvene the meeting. Ted Doyle seconded. The motion passed 3-1-0 (Tim Neill voted in the negative, Woodsome abstained).**

**Gordon Littlefield made a motion to add an executive session to discuss a personnel matter pursuant to 1 M.R.S.A. §405 (6)(A). Ted Doyle seconded. The motion passed 3-1-0 (Neill voted in the negative ,Woodsome abstained).**

**Gordon Littlefield made a motion to go into executive session at 7:12 p.m. Ted Doyle seconded. The motion passed 3-0-1 (Neill voted in the negative, Woodsome abstained).**

**Gordon Littlefield made a motion was made to come out of executive session at 7:20 p.m. Ted Doyle seconded. The motion passed 4-0.**

**Gordon Littlefield 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 September 26, 2017.

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/s/  
Dennis Abbott

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/s/  
Dwayne Woodsome

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/s/  
Gordon Littlefield

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/s/  
Tim Neill

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/s/  
Ted Doyle