

**Minutes for Waterboro Board of Selectmen Meeting
July 20, 2021, at Waterboro Town Hall
5:00 p.m. Solar Ordinance Workshop
6:00 p.m. Regular Meeting**

5:00 p.m. Workshop – The Selectmen discussed Solar Energy. All Selectmen except Dennis Abbott were in attendance for the workshop. Resident Jason O'Meara attended the workshop but did not stay for the meeting and is not listed below.

1. PLEDGE OF ALLEGIANCE

Vice Chair Dwayne Woodsome opened the meeting at 6:02 p.m. with the Pledge of Allegiance. Chairman Dennis Abbott was absent for this meeting.

Attendance: Dwayne Woodsome, Dave Chauvette, Dana Brown, Michael Provencher, Gary Lamb, Peter Smith, Julie Giles, Dave Lowe, Edward Zelmanow, Clyde M. Smith, Lori Anthony, Clyde & Hedy Smith, Matt Williams, Paul Tuominen, Michael Scott, Ashely Childress, Dylan Post, David Alves, Mike Rodgers, Steve Everett, Steve Blais, and Laura Lowe.

Dwayne Woodsome requested a moment of silence for the passing away of Sharon Abbott, wife of Dennis Abbot, and shared the Boards condolences to Dennis and family.

2. PUBLIC HEARINGS

- a. Public Hearing was opened at 6:04 p.m. to hear comment regarding a Special Amusement Permit for Five Ponds Public House .**

There was no comment at all regarding this issue.

Vice Chairman Dwayne Woodsome closed the Public Hearing at 6:05 p.m.

3. ANNOUNCEMENTS – none.

- 4. ADDITIONS OR DELETIONS TO AGENDA – Discuss/vote on Special Amusement Permit for Five Ponds Public House was added to the Agenda under New Business and Item#9f**

Michael Provencher made a motion to add: Discuss/vote on Special Amusement Permit for Five Ponds Public House to the Agenda under item 9f. Dave Chauvette seconded the motion. The motion passed 4 – 0.

Dana Brown made a motion to add a Moratorium for Solar Energy to the August 3, 2021, Selectmen's Meeting Agenda. Michael Provencher seconded the motion. The motion passed 4 – 0.

5. APPOINTMENT – none.

6. PUBLIC COMMENTS – none.

7. CORRESPONDENCE

- a. Treasurer's reports**
b. CTAM communication to Governor Mills regarding Ld920 Veto

8. REPORTS & STAFF INITIATIVES

a. Selectmen's reports

Michael Provencher encouraged all to use caution while on the lakes of Waterboro. They are very busy right now with a lot of swimmers, boaters, and there have been a lot of close calls.

b. Town Administrator Gary Lamb's report

Middle School Generator Project - Bid proposals were advertised and mailed out for a 250KW generator to allow our Middle School to be a full service emergency shelter complete with kitchen, bathroom/shower and sleeping areas. Sealed bids are required to be submitted before noon on Friday July 30. Interested parties should call Fire Chief Matt Bors. RSU #57 is paying 25% of this project and FEMA will pay 75%.

American Rescue Plan Act funding update - Waterboro is scheduled to be eligible for over \$700,000 in ARPA funds that can be used through 2026. We will get half our allotment this year and the other half next year. York County received \$20 million recently and will get another \$20 million next year. County commissioners are sorting through how they will spend these funds. However, the criteria to use such funds are very restrictive and these interim criteria ended their comment phase last Friday, July 16th. One approved use of ARPA funds is to provide premium pay to eligible workers that performed essential work during the COVID 19 pandemic. I encourage Waterboro Selectmen to consider paying back pay to our Fire Department and EMS staff, because their wage scale is probably the most out of line with market rates and what our neighbor towns are paying. Public works and some town hall positions might also qualify for back pay, but both DPW and town hall wage ranges are considerably higher than what we pay our first responders. In the past year we improved the retirement benefit for our firefighters and EMT's and we ordered an expensive ladder truck...both wise and deserved expenditures. However we discussed but did not complete a wage adjustment scale for first responders. Using some ARPA funds for back pay for essential workers is a worthy expenditure in my mind.

Ladder truck update - Waterboro staff have been told that the initial inspection and meeting with our new ladder truck manufacturer E-One in Ocala, Florida will hopefully occur in early September.....(of 2021 we assume).

Legal update - John Barth has continued his court case on his 2007 expired building permit issue by appealing the Portland Federal District's ruling against him and in favor of the Town. He is appealing to the First Circuit Court of Appeals and the Barth brief is due into the court by late August. After that the only avenue for him is the US Supreme Court.

9. NEW BUSINESS

- a. Initial discussion on mil rate for 2022 FY

Gary Lamb presented the board with three options that he and Assessor Shirley Bartlett have come up with for the Selectmen to consider:

Option 1: Using \$800,000 from Fund Balance that Waterboro Residents voted on and increasing property valuation 10% - the MIL rate will be \$15.19 per thousand.

Option 2: Using \$800,000 from Fund Balance and increasing property values by 5% - the MIL rate will be \$15.88 per thousand.

Option 3: Using \$800,000 from Fund Balance and no increase in property value – the MIL rate will be \$16.64 per thousand.

Dwayne Woodsome asked Gary Lamb if the current MIL rate of \$15.39 could be kept? Gary Lamb stated that it is possible. The property values would just have to be adjusted accordingly to do it.

The Board will review the options presented and Assessor Shirley Bartlett will be in person at the next Selectmen's meeting, August 3, 2021, to discuss with the Selectmen.

- b. Review Draft Hybrid Meeting Policy pending from MMA

Dave Chauvette made a motion to revisit this policy at the next Selectmen's meeting. Michael Provencher seconded the motion. The motion passed 4 – 0.

- c. Discuss Contract Zone request for apartment complex next to SMHC

Developer Dave Alves, surveyor Steve Everett, real estate broker Mike Rogers, and engineer Steve Blais all attended the meeting. They were there to discuss the Contract Zone for a three story, 36 unit apartment complex next to SMHC at 200 Main Street. However, at the meeting, Steve Everett stated that he has new information that will mean they do not have to deal with the contract zone because the structure they are developing has three or more units, and is therefore considered a commercial structure.

Real Estate Broker Mike Rogers stated that the apartment building will not have an age requirement and will have public water and private sewer. It will consist of 1 & 2 bedroom apartments with some of the apartments having garages. They are proposing a dog park so that renters with dogs will not be excluded. They have not figured out the rental prices to date. Gary Lamb recommended that they think about being able to get a Fire Department Ladder Truck in and out of the complex easily as they will have to eventually deal with this situation with the Fire Department during the process.

Michael Provencher asked Mike Rogers if they have considered small business store fronts in front of the apartments or even on the first floor. Mike Rogers thought this was a great idea having mixed use. The discussion was concluded with all parties deciding to continue the discussion at the next Selectmen's meeting.

- d. Discuss Fabian Oil request for Zoning Ordinance Amendment

Fabian Oil is requested a Conditional Use Amendment to have propane uses added to the A&R Zone. They are requesting this so that they can have Bulk Storage of Propane, a Bottle Fill Station, and a Bottle Exchange Cage for Fabian customers.

There was some discussion on having a Workshop and a Public Hearing for this.

Dave Chauvette made a motion to have a Workshop regarding Fabian Oil's request on August 3, 2021, at 5:00 p.m. Dana Brown seconded the motion. The motion passed 4 – 0.

- e. Initial discussion on Subdivision Ordinance change request

Paul Tuominen , resident, attended and explained his reasons for asking for the 40 acre lot exemption to the Board. Dwayne Woodsome felt the Town's attorney should look at this to see what the best option will be. Gary Lamb will be forwarding a letter to our attorney this week.

- f. Discuss/vote on Special Amusement Permit for Five Ponds Public House

Michael Provencher made a motion to accept the Special Amusement Permit for Five Ponds Public House. Dana Brown seconded the motion. The motion passed 4 – 0.

10. OLD BUSINESS

- a. Draft changes to Town of Waterboro Use of Municipal Facilities Policy

Gary Lamb stated that Recreation Director Todd Smith conveyed to him that he did not think that the FUNergy room and the upstairs meeting room should be rented anymore. The FUNergy room needs to stay just for the kids, especially since the pandemic, and the Upstairs Meeting Room has no handicapped accessibility. He proposes that only the Old Town Hall Front Meeting Room be rented to Local Non-Profit organizations only as there is no kitchen for functions serving food and the space is quite small. Gary Lamb agrees. A new policy to replace the Use of Municipal Facilities called, Use of the Old Town Hall Front Meeting Room Policy was drawn up. The policy was adopted by the Board with the below vote.

Dana Brown made a motion to accept the proposed policy. Dave Chauvette seconded the motion. The motion passed 4 – 0.

11. OTHER

- a. Discuss/vote to approve the minutes of the July 6, 2021, regular meeting.

Dave Chauvette made a motion to approve the minutes of the July 6, 2021, meeting minutes as written. Dana Brown seconded the motion. The motion passed 4 – 0.

12. PENDING DECISIONS

- 13. WEEK'S ACTION LIST – Gary Lamb to draft a letter to Our Attorney regarding the Subdivision Ordinance Change Request.**

14. DISCUSSION OF AGENDA ITEMS

- 1. Workshop regarding Fabian Oil Rezoning Request to be put on Aug. 3, 2021 Agenda**
- 2. Assessor Shirley Bartlett to be put on Aug. 3, 2021 Agenda for MIL Rate discussion**
- 3. Moratorium for Solar Energy to be put on Aug. 3, 2021 Agenda**
- 4. Continued Discussion to be put on Aug. 3, 2021 Agenda for Contract Zone Request for Apartment Complex next to SMHC**
- 5. Continued Discussion on Subdivision Ordinance Change Request to be put on the Aug. 3, 2021 Agenda**

15. ITEMS NEEDING SIGNATURE

- a. Special Amusement Permit for Five Ponds Public House**
- b. Amended Waterboro Use of Municipal Facilities Policy**

Both above items were signed by the Selectmen present

16. ADJOURN

Dana Brown made a motion to Adjourn the meeting at 6:57 p.m. Dave Chauvette seconded the motion. The motion passed 4 – 0.