

**Minutes of the Waterboro Board of Selectmen Meeting
February 6, 2024, at Waterboro Town Hall
5:45 – Executive Session - 6:00 p.m. Regular Meeting**

An Executive Session was added to before the meeting - Pursuant to 1 M.R.S.A §405 (6)(a) – Discussion of a Personnel Matter

Executive Session – 5:45 p.m. - Pursuant to 1 M.R.S.A §405 (6)(a) – Discussion of a Personnel Matter – Interview potential committee member

Votes: Gary Fecteau made a motion to enter into Executive Session at 5:47 p.m. David Chauvette seconded the motion. The motion passed 5 – 0.

Dwayne Woodsome made a motion to come out of Executive Session at 5:57 p.m. David Chauvette seconded the motion. The motion passed 5 – 0.

1. PLEDGE OF ALLEGIANCE:

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

Attendance Select Board: Dennis Abbott, Dwayne Woodsome, Jonathan Bell, David Chauvette, and Gary Fecteau.

Other Attendees: Matt Bors, David Lowe, Glenn Seehagen, Leo & Sandra Binette, Jane Harriman, and Laura Lowe.

2. PUBLIC HEARINGS: - none.

3. ANNOUNCEMENTS:

Gary Fecteau – Announced that one of the OHD Committee members, Judie Berry, has been sick and in the hospital. He sent his well wishes to get better soon and a Happy Birthday on behalf of the Board.

Dennis Abbott – Absentee ballots for the March 5 Presidential Primary are available. The last day you can request an absentee ballot is February 29 at close of business. Last day for someone to switch parties is February 16th.

4. ADDITIONS OR DELETIONS TO AGENDA: -

Vote: Dwayne Woodsome made a motion to add item #9d to the agenda – Discuss/vote to allow CEO to proceed with enforcement action. John Bell seconded the motion. The motion passed 5 – 0.

5. APPOINTMENT:

a. Recognition of Leo & Sandi Binette

Matt presented the recently previous owners of Lakeside Market, Leo & Sandi Binette, with a plaque, and Dennis Abbott spoke on behalf of the Board expressing their gratitude for all the Binette's have

done for the community. Leo Binette expressed appreciation for all their customers for the last 25 years. He wished the new owners well and welcomed them to the community.

b. Michael Gilpatrick, CEO: To discuss pending ordinance updates for Waterboro Flood Plain Ordinance & Subsurface Waste Water Rules amended Sept. 2023.

Michael Gilpatrick came before the Board with the following:

1. He would like the Board to have a public hearing on the recently amended Waterboro Floodplain Management Ordinance. There was some discussion on this and it was decided with a vote to have the public hearing on March 19, 2024 at 6:00 p.m.

Vote: Dwayne Woodsome made a motion to hold the public hearing on the amended Waterboro Floodplain Management Ordinance on Tuesday, March 19. Jon Bell seconded the motion. The motion passed 5 – 0.

2. Regarding the Maine State Subsurface Waste Water Rules of 2023: Every inlet & outlet needs to have a riser at grade. Also, any portable toilet that is in service for more than seven days will have to have a permit from the Code Office. This permit will be for six months. There was some discussion on this and it was decided with a vote to send to the Planning Board to let them go through their process.

Vote: Dwayne Woodsome made a motion to send this issue to the Planning Board so it can go through the Planning process. David Chauvette seconded the motion. The motion passed 5 – 0.

3. Update on Lada issue: The owner has brought in to the Code Office a business plan. They are still waiting on the amount of the fee. He has requested 29 cars and will be applying for a Salvage License. The Board asked for a copy of the application and Mike will send to them.

6. PUBLIC COMMENTS: - none.

7. CORRESPONDENCE – Available upon request:

- a. Financial Reports
- b. Zoning request from Steve Everett – received today

8. REPORTS & STAFF INITIATIVES:

a. Selectmen’s reports:

Dwayne Woodsome – reported that the Zoning Board of Appeals will have two hearings at the end of the month. He also has been attending the Budget Committee meetings and the committee should have the draft budget to the Board in a couple of weeks. He also expressed his approval of the committee this year.

Gary Fecteau – reported that the OHD committee has chosen the dates for the event and the theme. The theme will be, “The Fabulous 50’s”. The event will be held at the Massabesic Middle School on Friday, July 26th from 5-9 pm, and Saturday, July 27th from 9am-9pm. The fireworks will be on Saturday, July 27th. There will also be a car show Saturday from 9am-2pm.

b. Town Administrator Matt Bors report:

General Information:

- Budget committee meetings have been ongoing with our final meeting and wrap up scheduled for February 12th. I've invited the Budget Committee to attend the March 5th meeting.

Because the Board decided to move their meeting to March 4th, they decided to I meet with the Budget committee at 5:30 before the Board meeting on March 4th.

- Laura Fish and I have spoken with Fred Holt (Consultant) he is wrapping up the check recs. This will allow us to finalize the GL for upload to RHR Smith for the audit work. Our data is almost all complete and will be uploaded as well.
- We attended a meeting at the Alfred Town Hall last Thursday with the RSU 57 and other communities. This meeting recapped the strategic plan, and some budget information. Unfortunately, they did not have any numbers to provide us.
- Shirley and I will be submitting written testimony regarding LD 646. This bill will fund the balance needed of the property tax stabilization program. This is scheduled for a hearing on February 13th. Assessors were notified that they would only receive 56% of the claim amount.
- Work continues with the proposed Public Works Garage. At this point we need to finalize our next steps.
 - Conceptual plans and Construction Cost estimates completed.
 - Finance estimates from Maine Community Bank are about 5% fixed for 5 yrs. of 20 yr. term. Obviously, this would need to bid this out if approved.
 - The Budget Committee will act at the February 12, 2024, mtg.
 - BOS to determine next step (Send to voters)
 - Marketing and information delivery (Funding available from previously approved budget)
 - If approved the design build project would be sent out to bid
- I will provide updates to the "Staff Research Policy" last amended in 2009 for your review and possible approval at the February 20th meeting. This policy is outdated and does not conform to current state guidelines. Over the next several months I would anticipate that I will provide various policies for updates as needed.
- We have received notification that the lawsuit filed again by Mr. Barth has been dismissed and a COK Order Enjoining Future Filings has been issued. This restricts Mr. Barth from frivolous lawsuits, and he must seek prior leave from the court.

c. Finance Director Laura Fish/Matt with FY finance update

Revenue:

- Review of current summary appears to be generally within expectations for just over 6 months of our current FY budget.
- Amber has been working hard to post all revenue and clear up prior work (clean up)

Expenses:

- We have reviewed department expenses which appear to be consistent for the current FY

Audit Work:

- Audit information gathering continues as of this report. This has been a bit challenging as previous files were not shared or filed so others could not efficiently locate them.
 - Fred (Consultant) has recently completed the checking account reconciliations which had not been completed by the prior Deputy Treasurer
 - Fred (Consultant) will be reconciling the G/L Accounts
 - This information will be uploaded for RHR Smith (Auditing Firm)
 - We have been gathering the other required information and uploading RHR Smith daily

Budget:

- Department Heads, Budget Committee and Town Hall Staff have been working diligently with the FY25 budget. We have already had several meetings and will have our final meeting on February 12th to wrap up the review of the budget. Our goal is to submit this to you on February 20th.

9. NEW BUSINESS:

a. Discuss RSU #57's School Board resignation & possible nomination of interim member

Nadine Molloy has resigned from the School Board. The Board can only appoint until the next Election. This item will be moved to the next agenda as the Board would like a letter from her and not just the school.

b. Discuss/vote to sign the renewal Liquor License Application for 38 West Pub & Grille

c. Discuss/vote to sign the renewal Special Amusement Permit for 38 West Pub & Grille

Both items were voted on together in the same motion from the Board.

Vote: David Chauvette made a motion to sign the Liquor License Application & Special Amusement permit for 38 West Pub & Grille. Jon Bell seconded the motion. The motion passed 5 – 0.

d. Discuss/vote to allow CEO to proceed with enforcement action

Vote: Dwayne Woodsome made a motion to allow the CEO to proceed with his ways of violations and procedures moving forward. Jon Bell seconded the motion. The motion passed 5 – 0.

The correspondence that was received today from Steve Everett requesting a Zoning change the Board voted to send to the Planning Board.

Vote: Dwayne Woodsome made a motion to send this Zoning Request from Steve Everett to the Planning Board. David Chauvette seconded the motion. The motion passed 5 – 0.

10. OLD BUSINESS:

a. Discuss/vote to reschedule the March 5th BOS meeting due to the Election

Vote: Dwayne Woodsome made a motion to move the March 5th BOS meeting to March 4th. Gary Fecteau seconded the motion. The motion passed 5 – 0.

b. Discuss/vote on the Town Report Dedication

This item was moved to the next Board meeting agenda.

11. OTHER:

a. Discuss/vote to accept the minutes of the January 16, 2024 meeting.

Vote: Dwayne Woodsome was so moved. Gary Fecteau seconded the motion. The motion passed 5 – 0.

12. PENDING DECISIONS: - none.

13. WEEK'S ACTION LIST:

Send Correspondence with Zoning Change request to the Planning Board
Send Maine State Subsurface Waste Water Rules 2023 to Planning Board

14. DISCUSSION OF AGENDA ITEMS:

Items need to be in before noon time on Thursday's if you need to add something to the agenda.

15. ITEMS NEEDING SIGNATURE:

- a.** 38 West Pub & Grille Renewal Liquor License
- b.** 38 West Pub & Grille Renewal Special Amusement Permit

The Board signed both documents.

16. ADJOURN:

Dwayne Woodsome made a motion to adjourn. Gary Fecteau seconded the motion. The motion passed 5 – 0. The meeting was adjourned at 6:45 p.m.