

**Town of Waldoboro
Board of Selectmen
Meeting Minutes
Tuesday, May 11, 2004**

1. Call to Order

The Board of Selectmen met at the Municipal Building on Tuesday, May 11, 2004 at 6:00 p.m. to conduct town affairs.

Members present were Kathleen Blodgett, Chair, Rebecca Maxwell, Theodore Wooster, Gordon Webster, and Steve Cartwright. Staff present were Town Manager, Lee Smith; Rosemarie Cutchens, Administrative Assistant; Leroy Jones, Police Chief; and Scott Lash, EMS Director.

Others present were Michael Colbert, representing Lincoln County News, and Nathan Nicholls.

2. Public Hearing(s)

The Board held public hearings on two applications for Pool Hall/Bowling lanes and Pawnbroker renewals. Applicants were not present and no one from the public was present to speak in favor or opposition to the applications.

1. On motion of Wooster/Maxwell, the Board **VOTED: to approve the Pool Hall and Bowling Alley License renewal for Nicholas DePatsy, d/b/a DePatsy's Lanes and Lounge, contingent on application and fee returned to the Town Office. (Vote 5-0)**
2. On motion of Webster/Wooster, the Board **VOTED: to approve the Pawnbrokers License renewal for Dennis Blanchet, d/b/a Old Mill Mall. (Vote 5-0)**

3. Consent Calendar

On motion of Maxwell/Webster, the Board **VOTED: to approve the consent calendar as follows: (Vote 5-0)**

- A. Minutes of the regular meeting of April 27, 2004
- B. Warrants & Financial Reports:
 1. Financial Report for April
 2. General Fund Warrants #44 and #45
 3. Payroll Warrants #44 and #45
- C. Department reports for April:
 1. Assessing Department
 2. EMS Department
 3. Police Department
 4. Community Svs Department (GA Report)
 5. Planning & Development Department
 6. Solid Waste Department

4. Communications

On motion of Wooster/Cartwright, the Board **VOTED: To accept and place on file the following correspondence:**

- A. A letter from MMA requesting nomination for the MMA Executive Committee. Deadline for nominations is Friday, May 28, 2004.
- B. A Request for Preliminary Approval of Pump Test and Delineation Plan from EarthTech and Letter of Approval from the Department of Human Services approving the long term pump test.

- C. SAD #40 Warrant for Budget Referendum was presented and signed by the municipal officers.
- D. A letter from Adelpia regarding a dual path in their bankruptcy process.
- E. A letter from the Maine Emergency Management Agency notifying the Town that the Waldoboro Police Department had been awarded a \$21,986.60 grant to be used towards Homeland Security.

5. Committee & Departmental Reports

A. Waldoboro Public Library Update.

On motion of Maxwell/Cartwright, the Board **VOTED: To table discussion with the Trustees of the Waldoboro Public Library until the next meeting and Gordon Webster will set up the meeting. (Vote 5-0).**

6. Official Action

A. Act on Ambulance Bid Award

EMS Director Scott Lash presented the board with bids for replacement of the 1996 Ford Medtec Ambulance, in accordance with the capital improvement program. The EMS Capital Equipment Reserve Account has \$98,586 in reserve to replace the unit. Bids were received as follows:

Minuteman Fire & Rescue Apparatus of Walpole, Mass	(Ford Medtec)	\$96,950
Sugerloaf Ambulance of Carrabassett Valley, Maine	(PL Custom)	\$109,848 (with Ford discount)

Lash mentioned that both companies are quite competitive and both have high quality work and he would be happy to accept either bid. With only the layout being the significant difference, Medtec had the lower bid.

On motion of Wooster/Webster the Board **Voted: To award the bid in the amount of \$108,310.60. (Vote 5-0) as follows:**

Minute Man (Ford Medtec)	\$96,950.00
Medical Equipment	2,586.42
Radio Equipment	3,997.50
Patient Transport Equipment	<u>4,776.68</u>
	\$108,310.60

B. Act on “A Resolution Amending the Solid Waste Rules & Regulations” authorizing scavenging and salvaging of materials from demolition waste area.

The town manager advised the Board that he had been approached with a complaint from Nathan Nicholls about being prohibited to “pick the dump”. Smith explained that it had been the policy of the Town to discourage this practice since April 15, 1989 when the new transfer station opened. The purpose of the present policy is to protect the health and safety of customers at the facility and to limit the Town’s exposure to risk and liability in the event someone should be injured from such activity. He went on to explain that a customer had in fact been injured a few years ago attempting to retrieve material when a wind gust caused a piece of material to strike her above the eye. The town’s insurance carrier paid for medical expenses. The town manager recommends against changing this policy. Even though this particular incident was only about \$300 the next could be worse. Blodgett agreed that the next could be worse.

Cartwright felt that policy should not be made from one incident. He had not heard of a lot of people getting hurt. Webster commented that people could get hurt discarding materials as well as scavenging material. Maxwell was concerned of debris building up in people’s yards. Wooster felt that allowing people to scavenge the dump area would reduce the waste stream.

Nathan Nickels commented that he did not agree with the liability argument. That at the moment some people are allowed to take items from the dump including attendants (at least past attendants) and that since the attendants are paid by the town they should not be paid to scavenge the dump. He felt that if there was to be no dump picking then a sign should be put up stating that. Nicholls feels that people should be encouraged to scavenge the dump.

Smith informed the Board that under the Solid Waste Disposal Ordinance they have the authority after notice and public hearing to amend the rules and regulations.

On motion of Cartwright/Wooster, the Board **Voted: To accept in first reading “A Resolution Amending the Solid Waste Rules & Regulations” and to schedule a public hearing on May 25, 2004 at 6:00 p.m. to accept public comment on the proposed change. (Vote 4-1, Blodgett opposed).**

“A Resolution Amending the Solid Waste Rules & Regulations”

Section 1 – Responsibility of the Solid Waste Rules & Regulations enacted April 15, 1989 is hereby amended as follows:

Scavenging and salvaging of materials from the demolition waste area shall be allowed.

Section 11 – Safety of the Operations Manual for Solid Waste Disposal Facility Transfer Station & CD Landfill dated September 2001 is hereby amended as follows:

Other Requirements:

~~3. Scavenging and salvaging of materials from the demolition waste area shall be discouraged to avoid cuts and other hazards from this type of material.~~

C. Act on “Resolution Amending the Smoking Policy for Town Employees within Town-Owned Facilities”.

The town manager was requested to seek the input of town employees of the proposed changes in the Smoking Policy. Employees were notified of the proposed change and one unsigned comment was received suggesting a 20-foot perimeter instead of 50 feet.

The new policy would prohibit smoking 50 feet of the Municipal/Public Safety Building, and prohibit smoking in the Transfer Station building, Public Works Garage building, the Friendship Street School campus, and all ambulances and police cruisers.

On motion of Wooster/Cartwright, the Board **Voted: To adopt the “Resolution Amending the Smoking Policy for Town Employees”. (Vote 4-1, Webster opposed).**

D. Execute Town Meeting Warrant, Ordinances, and Resolutions.

The final draft of the town meeting warrant was reviewed along with the proposed amendment to the Shellfish Ordinance, a revised Dog Ordinance, a resolution authorizing participation in the Midcoast Pine Tree Development Zone.

On motion of Maxwell/Wooster, the Board **VOTED: To approve the town meeting warrant and attachments. (Vote 5-0).**

E. Set date for Public Hearings on:

1. Laura Cabot, d/b/a Laura Cabot, Inc, Liquor License Renewal

- 2. **Paul & Jo-anne Bloomquist d/b/a Bullwinkles Family Steakhouse/The Bog Tavern, Liquor License Renewal**
- 3. **Resolution Authorizing Participation in the Midcoast Pine Tree Development Zone Program**
- 4. **An Ordinance entitled "Dog Ordinance"**
- 5. **A Resolution Amending the Solid Waste Rules and Regulations**

The town manager explained that the Legislature adopted an amendment not to require town meeting approval for participation in the pine tree zone program. The amendment will not take effect until 90 days after the legislature adjourned and therefore it is recommended to proceed with voter approval.

The Dog Ordinance has been completely rewritten and is modeled after the Town of Washington's draft ordinance. Our current ordinance is fairly old being written in 1968 and last amended in 1971.

On motion of Cartwright/Webster the Board **Voted: To set May 25, 2004 as the date for Public Hearing for the Liquor License Renewals, Pine Tree Zone Resolution, Dog Ordinance, and Solid Waste Rules and Regulations Amendment. Vote (5-0).**

F. Other items.

Nominating Committee needed:

Board Members need to designate a committee to review nominations for Board members that are due back in the Town Office by May 14, 2004. Wooster asked if the whole board could be the committee and take care of it during Executive Session at regular Board meetings?

Smith stated that a special meeting should be held, as it would take longer than the time available during a regular meeting. (Footnote: The Chairman has set the date for interviews for June 1, 2004 at 7:00 p.m.)

7. Executive Session(s) –None

8. Adjourn

On Motion of Wooster/Maxwell the Board **Voted: To adjourn at 7:00 p.m.. (Vote 5-0).**

Prepared By:

Rosemarie Cutchens
Administrative Assistant

Kathleen M. Blodgett, Chairman

Steven Cartwright

Rebecca B. Maxwell

Gordon Webster

Theodore M. Wooster

Board of Selectmen
Waldoboro, Maine