

**Town of Waldoboro, Maine
Board of Selectmen Meeting Minutes
Municipal Building
1600 Atlantic Highway
Tuesday, January 10, 2006 6:00 p.m.**

1. Call to Order.

The Board of Selectmen met at the Municipal Building on Tuesday, January 10, 2006 at 6:00 p.m. to conduct town affairs. This meeting was called to order by Chairman Carleton Johnson, with a quorum present.

Members present were Ted Wooster, Delia Mohlie, Rebecca Maxwell, Ellen Winchenbach, and Chairman Carleton Johnson.

Staff present was Town Manager Lee Smith, Code Enforcement Officer John Black, Recreation Director Kyle Santheson, and Administrative Assistant Mike Ducharme.

Others present were Jennifer Merritt representing the Waldoboro Business Association, JoAnn Myers, Charles Campbell, and Bo Yerxa representing the Planning Board, Steve Nutter representing the School Board, MSAD #40 Business Director Scott Vaitones, MSAD #40 Superintendent Pamela Carnahan, and residents Bill Blodgett, Carol Blodgett, John S. Blodgett, Claire Bowley, Keenan R. Jones, Ed Karkow, and Gary Hall.

From the press was Michael Colbert representing the Lincoln County News, Art Mayers representing the Lincoln County Weekly and Courier Gazette, and Mary Ellen Crowley and Sam Pennington representing Lincoln County Television.

2. Citizen Comments. (for items not on the agenda). – *None*.

3. Public Hearing #1.

A. Liquor License Renewal - Laura Cabot, d/b/a Laura Cabot Catering

There was no one present to speak in favor or opposition of the Liquor License renewal or Special Amusement Permit. Chief of Police Leroy Jones recommends the renewal due to no record of complaints.

On the motion of Wooster/Maxwell, the Board **VOTED: To approve the Liquor License renewal and Special Amusement Permit for Laura Cabot, d/b/a Laura Cabot Catering (Vote 5-0).**

4. Approve Consent Calendar.

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

A. Regular meeting minutes - December 27, 2005.

B. Warrants & Financial Reports:

1. General Fund Warrants 26 and 27.
2. Payroll Warrants 26 and 27.

C. Departmental Reports.

1. Financial Report for December 2005

5. Official Action.

A. Act on Septic Waste Disposal Agreement.

Interstate Septic Systems, Inc. has submitted a Septic Waste Disposal Agreement renewal for January 31, 2006 to January 31, 2007 for the amount of \$2,300. This is a \$100.00 increase from last year. This fee allows Waldoboro residents to have their septic waste delivered to the Rockland based treatment plant for processing.

At this time, the resident or business of Waldoboro will be responsible for paying Interstate Septic a disposal fee of \$.07 per gallon for septic waste or \$.10 per gallon for grease waste at their scheduled pumping. The disposal fee to the customer could increase during the contract period.

On the motion of Johnson / Wooster, the Board **VOTED: To accept the septic waste disposal contract from Interstate Septic Systems, Inc (Vote 5-0).**

B. Act on town meeting and budget calendar.

The proposed 2007 budget calendar has been submitted by the Town Manager (*see attached*). The Town Meeting has been proposed for June 15th, 2006 at 7:00 p.m. at the Miller School.

Mohlie thought it might be a good idea to publicize in the papers when it is time to go through the budget process in order to solicit the citizen's participation. Smith confirmed this could be done.

On the motion of Johnson / Maxwell, the Board **VOTED: To approve the 2007 budget calendar as proposed (Vote 5-0).**

6. Executive Session(s).

On the motion of Maxwell / Winchenbach, the Board **VOTED: To convene in executive session at 6:14 p.m. to discuss a Philbrook Fund Application (Vote 5-0).**

A. Convene as Philbrook Fund Trustees to act on:

1. Philbrook Fund Application #06-04

On the motion of Maxwell / Winchenbach, the Board **VOTED: To reconvene as Selectmen at 6:20 p.m. (Vote5-0).**

7. Committee & Departmental Reports.

A. 2007 Management Plan Workshop

8. Public Hearing #2.

A. An Ordinance Amending the Land Use Ordinance

The Planning Board has recommended amending the “Town of Waldoboro Land Use Ordinance” to allow the proposed “Middle School” to be constructed and operated at the “Medomak Valley High School” site. The change would affect Article 3 section F, Schedule of Uses, and would be amended as follows:

| | Rural District | Residential District | Rural Village Business District | Village District | Historic Village District | Downtown Business District | Route 1 Commercial A | Route 1 Commercial B | Industrial District | Wellhead Protection District |
|--|----------------|----------------------|---------------------------------|------------------|---------------------------|----------------------------|----------------------|----------------------|---------------------|------------------------------|
| Hospitals, Public and Private Schools | PB | | | PB | PB | PB ¹ | PB | PB | | |
| Hospitals, Nursing and Convalescent Homes, and Commercial Schools | | | | PB | PB | PB ¹ | PB | PB | | |

The proposed Article on the Warrant would read: “Shall an Ordinance entitled “An Ordinance Amending the Town of Waldoboro Land Use Ordinance” dated June 2005 be enacted? A copy of the proposed Ordinance is on file at the office of the Town Clerk for public inspection.”

Sam Pennington (who served on the two site selection committees) briefed the citizens as to how the decision was made in reference to the location of the new middle school. An architect firm from Portland had looked at the existing school and came up with a round figure of \$7.2 million to repair the building and bring it up to code. Next the firm explored the costs of building a new structure on the existing lot which would be about \$7-8 Million. They also explored building on to Miller School or erecting a new middle school on a different site across from Medomak Valley H.S.

The State notified MSAD #40 that A.D. Gray was number 2 on the school replacement prioritization list. The State land requirements for a middle school are 10 acres plus 1 acre per every 100 students. At this time SAD #40 owns 3.83 acres for the current A.D. Gray School. The State also was not interested in funding a school for under 300 children. A.D.

Gray currently has a student population of about 150.

Superintendent Pam Carnahan and Business Manager Scott Vaitones informed the citizens as to where SAD #40 is now with the construction of the new middle school. They are hoping to break ground in June 2006. If the Land Use Ordinance is not amended the project is back to ground zero. They would have to re-apply to the State for another grant. They would lose their standing with the State for grants, lose the money already invested in the current project, and could possibly be 10 – 15 years before a school could be built under another grant. A.D. Gray would have to be renovated in the interim.

Vaitones added this school was approved by the voters at the town meeting on January 11, 2005. At that point they touched base with the Planning Board to let them know their intentions. SAD #40 has already spent just under \$1 million for engineering, architecture fees, permitting fees, etc. which is non-refundable if the school is not built under the current plan. This project is 91% State funded. The State's share of this project is \$11 – 12 million which makes the town's share around \$1 million.

The Town Manager added that the reason the Land Use Committee zoned this way was to try to get the schools on public water and sewer. Vaitones mentioned they have had problems with one of the leach fields at MVHS which may need to be addressed at some point in the future and added they might try to fix it when they are working on the new middle school as there will already be a lot of equipment there. He also noted there was some investigation towards getting town sewer to the schools and found it was not cost effective.

The Town Manager was also concerned with the arsenic levels in the water at the schools. Vaitones responded the levels comply with State code now but the issue will probably have to be addressed in the future.

Keenan Jones voiced a concern with having the middle school and the high school on the same property with the amount of drugs which are in the high school. He was also concerned with the effect of the current leach field (which was built in 1968) and the proposed leach field on the water supply in the area. Vaitones responded the DEP and the Planning Board will be involved with the process. Johnson added this might not be the proper forum for this discussion but more towards the Planning Board and the DEP.

Chairman of the Land Use Committee Ed Karkow talked about why the new school wasn't zoned for in the Land Use Ordinance adopted by Town Meeting June 16, 2005. He noted that zoning for the school wasn't an issue for the Committee and it was assumed that the school was going to be built on the MVHS property regardless of the new Ordinance. He confirmed it was an oversight. The intent of the Committee was to reduce sprawl and not to stop the construction of the new school. The Town Manager added it was thought the school would have been beyond the site plan review stage and would not have to be considered in the new Ordinance. He also feels in the future the restrictions to the Rural District should be reverted back to what they are now.

Jones questioned why we should change the Ordinance when the public voted it in the way it is. Johnson reminded him the Ordinance is a living document and has been advertised as such. This means the Ordinance will go through changes throughout the lifetime of the

document.

Kyle Santheson added stopping this project would be like having the District “dig a hole, put a million dollars in it and bury it and we have nothing but an empty piece of ground to look at for a million dollars or we could have a school for a million dollars”.

Seaver asked if the other Towns have any recourse if Waldoboro prevents the building of the school due to the Ordinance. Vaitones felt he could not answer the question but his guess was probably not.

On the motion of Wooster / Maxwell, the Board **VOTED: To close the public hearing at 7:50 p.m. (Vote 5-0).**

B. Execute Warrant for Special Town Meeting.

On the motion of Maxwell / Wooster, the Board **VOTED: To execute the warrant for the Special Town Meeting to be held at the Municipal Building on Tuesday the 24th day of January at 7:00 p.m. (Vote 5-0).**

9. Adjourn.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To adjourn at 7:58 p.m. (Vote5-0).**

Michael C. Ducharme
Administrative Assistant

Carleton E. Johnson
Chairman

Rebecca B. Maxwell

Theodore M. Wooster

Ellen A. Winchenbach

Board of Selectmen
Waldoboro, Maine

Delia W. Mohlie