

Town of Waldoboro, Maine
Board of Selectmen Meeting Minutes
Municipal Building
1600 Atlantic Highway
Tuesday, March 28, 2006 - 6:00 p.m.

1. Call to Order.

The Board of Selectmen met at the Municipal Building on Tuesday, March 28, 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 Rebecca Maxwell, Delia Mohlie, Ellen Winchenbach, and Chairman Carleton Johnson. Ted Wooster was absent.

Staff present was Town Manager Lee Smith, Public Works Director John Daigle, and Administrative Assistant Mike Ducharme.

Others present were Jennifer Merritt representing the Waldoboro Business Association, Elizabeth Petruska and Jane Farlow representing the Medomak Valley Land Trust, William Yerxa, JoAnn Myers and Charles Campbell from the Planning Board, and residents Steve Cartwright, Nancy Boothby, Judie Bowman, Edward Karkow, Valdemar Skov, Lynn Lackoff, Andy Lackoff, Wayne Myers, and Frank Guistra.

From the press was Michael Colbert representing the Lincoln County News, and Mary Ellen Crowley representing Lincoln County Television.

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

3. Public Hearings.

A. Liquor License Renewals in accordance with Title 28-A, MSRA, Section 653 & 1054.

1. Pepito and Consuelo Juantua, d/b/a Chinese Jade Restaurant

The applicants were not present to represent themselves. There was no one present to speak for, against, or with neutrality of the Liquor License renewal. Chief of Police Leroy Jones recommends the renewal due to no record of complaints over the past year.

2. Gary Hall, d/b/a Captain's Fresh Idea

The applicants were not present to represent themselves. There was no one present to speak for, against, or with neutrality of the Liquor License renewal. Chief of Police Leroy Jones recommends the renewal due to no record of

complaints over the past year.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To close the Public Hearing (Vote 4-0).**

On the motion of Maxwell / Mohlie, the Board **VOTED: To approve the Liquor License renewal for Pepito and Consuelo Juantua, d/b/a Chinese Jade Restaurant (Vote 4-0).**

On the motion of Maxwell / Mohlie, the Board **VOTED: To approve the Liquor License renewal for Gary Hall, d/b/a Captain's Fresh Idea (Vote 4-0).**

4. Approve Consent Calendar.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To approve the Consent Calendar as follows (Vote 4-0).**

A. Regular meeting minutes - March 14, 2006.

B. Warrants & Financial Reports:

1. General Fund Warrants 37 and 38.
2. Payroll Warrants 37 and 38.

5. Communications.

A. Adelpia Annual Report.

Adelpia Communications Government Relations Manager Shelley Winchenbach has submitted to the Town their Fiscal Year 2005 Annual Report for the Waldoboro cable operation. This document briefly explains subscriber growth, miles of cable, price adjustments, new laws and changes, and system coverage maps.

On the motion of Maxwell / Johnson, the Board **VOTED: To accept this communication and place it on file (Vote 4-0).**

B. Dale Turner re: Boy Scout Troop Request to Use Quarry Hill property.

Troop 142 Assistant Scoutmaster Dale R. Turner would like to use a part of the Quarry Hill property for the creation of a permanent camping area for the boy scouts. He would like to use an area near the Southwest corner of the corn field against the berm wall of the old gravel pit.

On the motion of Mohlie / Winchenbach, the Board **VOTED: To accept this communication and place it on file (Vote 4-0).**

C. Two Bridges Jail Tour March 30, 2006.

The Selectmen have been invited to a tour of the Two Bridges Regional Jail construction site in Wiscasset on Thursday, March 30, 2006. None of the Selectmen are able to attend this tour.

On the motion of Mohlie / Winchenbach, the Board **VOTED: To accept this communication and place it on file (Vote 4-0).**

D. Tri County Solid Waste re: Request for non-binding letter of interest.

Over the past three to four years Tri County Solid Waste and Mid Coast Waste have been considering partnering on a demolition / bulky waste processing / disposal facility in Union, Maine. The Board has been asked to write a non-binding letter of interest regarding this facility.

Mohlie asked how the Town of Union feels about this facility. The Town Manager responded by noting that the Town of Union was a leader in the initial study and he feels they are receptive to the concept of having the facility.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To accept this communication and place it on file (Vote 4-0).**

E. Jason Stewart re: Letter of resignation as full time officer.

Jason Stewart has given his notice as a full-time officer. Due to a recent knee injury he feels he will not be able to fulfill his duties on a full-time basis at this time. He would like to continue on the force as a part-time officer and review full-time opportunities in the future.

On the motion of Mohlie / Winchenbach, the Board **VOTED: To accept this communication and place it on file (Vote 4-0).**

F. Andrea Spaulding re: Quit Claim Deed.

This is for property located at 196 Simon Rd Map R20 Lot 4A for payment of delinquent taxes.

On the motion of Johnson / Maxwell, the Board **VOTED: To approve the Quit Claim Deed for Andrea Spaulding for her property at 196 Simon Rd. (Vote 4-0).**

G. Frank Guistra, Jr re: Denial of Load Limit on Robinson Road

On the motion of Maxwell / Winchenbach, the Board **VOTED: To accept this communication and place it on file (Vote 4-0).**

H. Henry Cabot re: Land Swap on Pine Street

On March 14, 2006 the Board asked Code Enforcement Officer John Black and Road Commissioner John Daigle to meet at the property in question to review the condition of the land. Daigle was present to comment. He noted there is an area where water washes off the road (road current) which should be taken care of soon. Another problem is a culvert which drains next to Cabot's shop which has swamped his property and Daigle feels we should have a drainage easement for it. The erosion problem is occurring on Town property and could be rectified with about 3 yards of material and seed.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To table this discussion until the Code Enforcement Officer could voice his views of the property (Vote 4-0).**

6. Official Action.

A. Act on request of Troop 142 to use Quarry Hill property.

Johnson asked if there were any issues with liabilities and should there be any restrictions as far as camp fires due to the dryness of the land lately. The Town Manager replied the Board could decide what restrictions would be applied to the use of the property.

Mohlie asked if the troop officials have walked the land with anyone to determine what is Town owned and what is not. The Town Manager replied they have been there with Ted Wooster.

On the motion of Johnson / Mohlie, the Board **VOTED: To approve the use of the quarry hill property to Troop 142 during April 7th and 8th, 2006 for an overnight camping trip with the condition they obtain a fire permit from the Fire Department for their camp fire (Vote 4-0).**

B. Act on Big Box Petition.

Steve Cartwright has submitted a petition to the Board of Selectmen to schedule a vote at Town Meeting or by referendum which would ask the voters to amend the Land Use Ordinance to include a 25,000 square foot maximum size cap in the commercial districts. This petition has been certified by the Town Clerk to have 199 signatures which is two more than sufficient to place this item on the warrant for Town Meeting.

A second petition has also been submitted in opposition to the size cap. This petition currently has 188 signatures. No Town Meeting action has been asked for on the petition.

On the motion of Johnson / Winchenbach, the Board **VOTED: To request legal council to draft an Article reflective of the request of the size cap petition to be placed on warrant for the regular June Town Meeting and voted on in referendum (Vote 4-0).**

C. Act on Town Report Bid.

Bids for printing the Annual Town Report are as follows:

2,500 Copies with Blue and Black Interior Text		
	Lincoln County Publishing	Bangor Letter Shop
a) Two color (blue gradient & black) Cover with 2 black & white photos	(lump sum) \$4652.00	(lump sum) \$5504.81
b) Full Color, Full Page Photo Cover	(lump sum) \$4712.50	(lump sum) \$5986.78
c) B & W, Full Page Photo Cover	(lump sum) \$4622.50	(lump sum) \$5469.56

On the motion of Maxwell / Johnson, the Board **VOTED: To award the Annual Town Report printing bid to Lincoln County Publishing for the amount of \$4,712.50 with a full color full page photo (Vote 4-0).**

D. Act on Town Report Dedication.

Winchenbach noted someone thought Richard Crabtree would be a good candidate.

Johnson stated even though Robert Maxcy had the dedication in 1988 it would be appropriate to dedicate the Town Report to him again this year. He has had a very unique and dedicated career with the Fire Department. Maxwell agreed.

On the motion of Winchenbach / Mohlie, the Board **VOTED: To dedicate the 2005 Annual Town Report to both Robert Maxcy and Richard Crabtree (Vote 3-1, Maxwell opposed).**

E. Act on Transportation Priorities.

The MaineDOT is looking for municipal input for prioritizing transportation improvement projects. They are currently looking for recommendations which will be used for fiscal years 2008-2009. The majority of the Board feels the following projects should be considered a priority when considering transportation projects: Route 32, Washington Rd., Union Rd., traffic signals at the Depot St. - Atlantic Hwy. intersection, traffic signals at the Manktown Rd. - Atlantic Hwy. intersection, and a passenger rail station at Depot St.

On the motion of Johnson / Maxwell, the Board **VOTED: To suggest a passenger rail station at Depot St. for the Passenger and Freight Transportation Improvements Program, Union Rd. for Rural Road Initiative Program, Kalers Corner and Manktown Rd. traffic signals as safety improvements, and Route 32 and Washington Rd. as reconstruction improvements (Vote 4-0).**

F. Appointment of Election Clerks.

The Town Manager asked if the names were submitted by the respective parties. Winchenbach noted that as the secretary of the Waldoboro Republican Town Committee she can attest the Committee voted in four people of the list of Republicans and the Town Clerk finished the list with her 'regulars'.

On the motion of Mohlie / Maxwell, the Board **VOTED: To approve the appointment of Election Clerks as listed by the Town (Vote 4-0).**

G. Act on Municipal Warrant for Prosecuting Unlicensed Dog Owners-Keepers

This Warrant will prosecute owners of unlicensed dogs in the manner of 1) Demand the animal be licensed within seven days, and 2) Pay the regular fees along with a \$25.00 late fee. The due date for licensing dogs was December 31, 2005.

On the motion of Maxwell / Mohlie, the Board **VOTED: To approve the Municipal Warrant for Prosecuting Unlicensed Dog Owners – Keepers (Vote 4-0).**

H. Act on Request for non-binding letter of interest from Tri-County Solid Waste.

On the motion of Maxwell / Winchenbach, the Board **VOTED: To respond to the request for a non-binding letter of interest from Tri-County Solid Waste with a non-binding letter of interest (Vote 4-0).**

I. Reconsideration of Load Limit Request for Robinson Road.

No action taken.

J. Frank Guistra, Jr re: Denial of Load Limit on Robinson Road.

Frank Guistra of 110 Robinson Rd submitted a letter following up the denial of a weight limit on Robinson Rd. In this letter he states that denying the load limit is highly prejudicial and presents no valid reasons for the denial.

Road Commissioner John Daigle was present for the discussion. He stated that only three or four vehicles per year would be affected by the weight limit and the road is structurally sound enough to handle heavy trucks. He finished by noting there are other roads of this size and smaller that are more used which have no problems handling this caliber of truck traffic.

No action taken.

7. Executive Session(s).

On the motion of Maxwell / Winchenbach, the Board **VOTED: To convene in executive session at 7:20 p.m. to discuss a poverty abatement (Vote 4-0).**

- A. Convene in executive session to consider a poverty abatement (Title 1, MRSA. Section 405(6)(f)).

On the motion of Maxwell / Mohlie, the Board **VOTED: To reconvene as Selectmen at 8:05 p.m. (Vote 4-0).**

8. Continuation of Workshop from February 14, 2006.

9. Adjourn.

On the motion of Maxwell / Mohlie, the Board **VOTED: To adjourn at 8:05 p.m. (Vote 4-0).**

Respectfully submitted,

Michael C. Ducharme
Administrative Assistant

Carleton E. Johnson
Chairman

Rebecca B. Maxwell

Absent
Theodore M. Wooster

Ellen A. Winchenbach

Board of Selectmen
Waldoboro, Maine

Delia W. Mohlie