

**Town of Waldoboro, Maine**  
**Board of Selectmen Meeting Minutes**  
**Municipal Building - 1600 Atlantic Highway**  
**Tuesday, September 22, 2009 – 6:00 p.m.**

1. **Call to Order** - This meeting was called to order by Chairman Clinton Collamore with a quorum present. Present were Ted Wooster, Rebecca Maxwell, and Chairman Clinton Collamore.
  - **Staff:** Town Manager William S. Post.
  - **Public:** Lillian Dolloff, Ronald E. Dolloff, Donald L. Benson, Edward Fisher, Mark Courtenay, Eva McLain, Willard Pierpont and Abden Simmons.
  - **Media:** John Maguire representing the Lincoln County News.
  
2. **Public Hearings:**
  - 2.1. **Liquor License Application by AllPlay LLC, d/b/a AllPlay Family Entertainment Center** – Chairman Collamore opened the public hearing at 6:00 p.m. He asked for comments in favor of the application. Proprietor Donald Benson noted the bowling alley will be selling beer and wine only and there will be no bar atmosphere. Chairman Collamore asked for comments opposed to the application. There were none. Chairman Collamore closed the public hearing at 6:02 p.m.

On the motion of Wooster / Maxwell, the Board voted 3-0 to approve the Liquor License Application by AllPlay LLC, d/b/a AllPlay Family Entertainment Center.
  
3. **Citizens Comments** (For items not on the agenda) - *None*.
  
4. **Approve Consent Calendar** - On the motion of Maxwell / Wooster, the Board voted 3-0 to approve the consent calendar as follows:
  - 4.1. **Meeting Minutes:**
    - 4.1.1. Regular Meeting Minutes – September 8, 2009
  - 4.2. **Warrants & Financial Reports:**
    - 4.2.1. General Fund Warrants 11 & 12.
    - 4.2.2. Payroll Warrants 11 & 12.
    - 4.2.3. Water Department Operating Warrant 8/09.
  
5. **Action Items:**
  - 5.1. **Act on Request for Right-of-Way over Town Property located at 885 North Nobleboro Rd.** - Willard Pierpont owns two lots behind the transfer station. He has a deeded right-of-way to the closest lot, but it crosses more than the Town's property, and physically ends up in Nobleboro. The Town has had a verbal agreement with Mr. Pierpont allowing him to use the transfer station road to get to the logging road. His father, Clinton Pierpont, constructed the logging road on the Town's property in 1994 with the approval of the Board of Selectmen. This

logging road accesses both lots. No written right-of-way was ever granted by the Town. Willard Pierpont is now selling the two lots and the potential buyer is requesting a written, recorded right-of-way over the Town's property.

The Town Manager recommends the right-of way be defined, but not necessarily surveyed, and limit its use to logging only, restricting utility use of the right-of-way, restricting residential use, et cetera. He also feels the Town should get a right of first refusal for potential future expansion of the transfer station.

On the motion of Wooster / Maxwell, the Board voted 3-0 to authorize the Town Manager to work with Mr. Pierpont in drafting a right-of-way with the stipulations of defining the right-of-way, restricting utility use of the right-of-way, and allowing for the Town to have a legal right of first refusal, to be reviewed by Selectman Robert Butler who is not present at today's meeting.

- 5.2. Act on Request by Conservation Commission to Reissue RFP for Management Plan for Quarry Hill** - The Waldoboro Conservation Commission has received two proposals for the Management Plan for Quarry Hill. The Conservation Commission feels there wasn't enough time when the Request for Proposals (RFP) was first issued.

On the motion of Wooster / Maxwell, the Board voted 3-0 to reject the two received proposals for the Management Plan for Quarry Hill and reissue the RFP with a deadline of October 30, 2009.

- 5.3. Act on An Ordinance Amending the Shellfish Conservation Ordinance** - Shellfish Conservation Committee Chairman Abden Simmons noted the changes consisted of 60 year old (and older) harvesters do not have to fulfill the required conservation time and in case of hardship, the Board could authorize a change in the sale licenses. These changes were approved unanimously by the Shellfish Conservation Committee.

On the motion of Wooster / Maxwell, the Board voted 3-0 to approve the amendments to the Shellfish Conservation Ordinance as proposed and place them on the warrant for the November 3, 2009 Special Town Meeting.

- 5.4. Act on Approval of Land Use Ordinance Amendments for Small Wind Energy Systems** - The Planning Board held a public hearing on this item to which no public attended. Although the Amendments were approved at the last regular meeting, the Town Manager feels they should be accepted again since there were some grammatical changes mad at the Planning Boards request.

On the motion of Wooster / Maxwell, the Board voted 3-0 to approve the corrections to the amendments to Article 5 of the Waldoboro Land Use

Ordinance and place them on the warrant for the November 3, 2009 Special Town Meeting.

**5.5. Act on Special Town Meeting Warrant for November 3, 2009** - On the motion of Wooster / Maxwell, the Board voted 3-0 to approve the Special Town Meeting Warrant for November 3, 2009.

**5.6. Act on Appointment to MSAD #40 School Board of Directors** - Originally there were two interested parties for this position however one of them has withdrawn. The Board previously had interviewed the one remaining candidate and chose not to re-interview him.

On the motion of Maxwell / Wooster, the Board voted 3-0 to appoint Frances Cross to the MSAD #40 Board of Directors with a term ending June 30, 2010.

**5.7. Act on Approval of Job Description for Assistant Code Enforcement Officer** - This position is currently a 16 hour position for an Assistant Code Enforcement Officer and Plumbing Inspector and has never had a job description approved. The Planning & Development Director has reviewed and approved the document.

On the motion of Wooster / Maxwell, the Board voted 3-0 to approve the Job Description for Assistant Code Enforcement Officer.

**5.8. Act on Approval of Funding for Communications Project** - The Town is working with Lincoln County Communications to improve the communication system in the area. This project will move the repeater to one of the local cell towers, which will increase the repeaters height, and it will also connect to the county's upcoming microwave system which will give better reception in areas like south Waldoboro. The Project will also make us compliant with the upcoming narrow-band mandate from the FCC. A building will be built at the base of the tower that will be heated and cooled to house a generator which will take over in the event of a power outage. The Town Manager recommends funding this project with up to \$25,000 from the FEMA Reimbursement Fund.

On the motion of Wooster / Maxwell, the Board voted 3-0 to authorize the Communications Project and funding of up to \$25,000 for the Project.

**6. Discussion Items:**

**6.1. Discuss Spirit of America Award** - The Town and the Meenahga Grange were recognized with the Spirit of America Award for recognition of the Town's volunteers. There were 21 communities which received awards at the Blaine House. Collamore attended the ceremony to represent the Town. Collamore

presented the award to the Town Manager and recognized Ronald & Lillian Dolloff for their contributions to the Grange.

**6.2. Discuss Question 2: Municipal Excise Tax (citizen initiative)** - The question reads as follows: *“Do you want to cut the rate of the Municipal Excise Tax by an average of 55% on motor vehicles less than 6 years old and exempt hybrid and other alternative energy and highly fuel efficient motor vehicles from sales tax and three years of excise tax?”*. If passed, Waldoboro excise tax revenue will be cut by an approximate 40% (or \$287,000 annually). This would cause both cuts in services and increased property taxes (more tax, less service). Currently an individual who can afford a newer or more expensive vehicle pays more excise tax than an individual who can only afford an older or less expensive vehicle. With this proposal, for example, if one were to buy a Cadillac Escalade Hybrid (purchase price of approximately \$80,000) they would pay no sales tax and no excise tax for three years. Under the same plan, if one were to buy a Ford Focus or Chevy Malibu (purchase price of approximately \$17,000) they would still pay sales and excise tax. The Town Manager has prepared a resolution in opposition to this question which will be placed in front of the Board for approval at the next regularly scheduled meeting.

**7. Adjourn** - On the motion of Wooster / Maxwell, the Board voted 3-0 to adjourn at 6:42 p.m.

Board of Selectmen:  
Waldoboro, Maine

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Clinton E. Collamore, Sr., Chair

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Rebecca B. Maxwell

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Theodore M. Wooster

Excused Absence \_\_\_\_\_

John T. Blamey

Respectfully submitted,

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Michael C. Ducharme  
Administrative Assistant

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Robert L. Butler