

**STATE OF MAINE**

Annual Town Meeting, Waterboro, Maine

The inhabitants of the Town of Waterboro, qualified as herein expressed and met at the Waterboro Town Hall at the stated time on April 26, 2002 and transacted the following business pursuant to the foregoing warrant:

**ARTICLE 1:** Robert Powers was elected Moderator to preside over said meeting and was sworn into office by Dep. Town Clerk, Cindy Gilmore.

**ARTICLE 2:** Moderator Robert Powers read the article to elect by secret ballot all necessary Town Officials and to vote secret ballot on the one referendum question at 7:05 am and to close the polls at 8 pm.

The results of the secret ballot is as follows:

**SELECTMEN/ASSESSOR/OVERSEER OF THE POOR (3 YR TERM)**

Robert Fay	262
Chauncey Gerry	301
<b>Eric Herrle</b>	<b>325</b>

**TREASURER (3 YR TERM)**

**Marlene Farwell 763**

**SAD #57 BOARD OF DIRECTORS (3 YR TERM)**

**Diane Herrle 672**

**WATER DISTRICT TRUSTEE (3 YR TERM)**

**Timothy McCoy 389**

Municipal votes cast: 893

Water District votes case: 442

**REFERENDUM QUESTION #1:**

Shall the town authorize the Waterboro Fire Department to spend upto \$25,000.00 for the purchase of a 1980 Mack Baker Boom Aerial truck? To be paid out of the Fire Department Rescue Billing Account and the Ambulance Subscription Account.

Yes-**654**

No- 206

After the closing of the polls, the meeting was recessed until Saturday, April 27, 2002 at 10:00 am at the Massabesic High School in said town at which time the remainder of the warrant was acted upon.

Moderator Robert Powers opened up the meeting at 10 am and led in the pledge of allegiance.

Sen Michael McAlevee spoke to the audience. Richard Nass and Steve Joyce also spoke. Sheriff Cote was introduced.

Jon Gale represented the Comprehensive Plan, meeting will be May 10<sup>th</sup> as a follow up on the invasion sessions that were held and gave a brief synopsis of what took place.

Moderator Robert Powers offered suggestions for conducting the meeting.

Finance Committee member Jon Gale gave a brief report on the Finance Committee.

Looking at \$298,000. in taxation more than last year. Feels the tax rate will go from \$16.40 to around \$18.00 per thousand.

Doug Foglio, Sr., spoke for the Selectmen. After receiving the Auditor report and with discussion, feels can take \$170,000. from Surplus then what was anticipated. Will be appropriating \$225,000. from Surplus from this warrant. Feels can hold tax rate under \$18.00.

Plaques were presented to George Abbott, Sr. and Pam L'Heureux..

**ARTICLE 3:** William Griffin made the motion to accept the reports of the several Town Officers for the year ending June 30, 2001. John Littlefield, seconded. Voted-passed.

**ARTICLE 4:** Bob Fay made the motion that all credit balances as of June 30, 2002 in all departments of Town Government be zeroed out in accordance with the March 11, 2001 Town Meeting vote excluding the following account balances to be carried forward: **Memorial Park, Comprehensive Plan, Municipal Building and interest, Ambulance Subscription, Tax Maps, Conservation Commission. Old Home Days, Parks & Recreation Fields, Parks, Swim, Tennis, Golf, Seniors, Jr. Rec., Parks & Recreation Summer Rec. fees collected for the 2002 program, Maintenance/Equipment, Planning Board, Consultant and Legal Fees, Taylor House, Designated Cable TV Franchise Fees, Municipal Grave Pit, Old Alfred Road, Microfilm and Restoration, Transfer Station/Stump Dump Fees.** Charles Cressey, seconded. Voted-passed.

**ARTICLE 5:** John Littlefield made the motion to raise \$262,567.00 from Taxation, for **General Government**: John Littlefield seconded. Mark Ford discussed the web site. Moderator Powers feel that the amendment that he proposes is beyond the scope of the article. Selectmen have agreed to use his suggestion in their decision for the web page passed. Voted-passes

**ARTICLE 6:** Bob Fay made the motion to appropriate 22,000.00 from Surplus for Custodian/Animal Control Officer. John Littlefield seconded. Voted-passed.

**ARTICLE 7:** . Bob Fay made the motion to appropriate \$20,120.00 from Surplus, plus fees and fines for **Constable/Animal Control Officer.** David Benton seconded. Voted-passed.

**ARTICLE 8:** Jon Gale made the motion to appropriate \$17,120.00 from Surplus for a **Office Worker**. Steve William Griffin seconded.

Steve Kasprzak made the motion to amend to \$20,000.00 from Surplus for a Office Worker. Doug Foglio, seconded.

Mike DeAngelis made the motion to move the question. Dick Sevigny seconded. Voted-passed.

Amended motion to raise \$20,000. from Surplus. Voted-passed.

Motion to appropriated \$20,000. from Surplus for a Office Worker. Voted-passed.

**ARTICLE 9:** Bob Fay made the motion to appropriate \$36,900. from Taxation for **Assessing Department**. John Littlefield seconded. Voted-passed.

**ARTICLE 10:** Doug Foglio, Sr. made the motion to appropriate \$ 6,000.00 from Taxation for **Building Equipment and Maintenance**. Willis Lord seconded. Voted-passed

**ARTICLE 11:** Bob Fay made the motion to appropriate \$43,000.00 from Excise for **Street Lights and Electricity Fuel Oil , Traffic Lights** . David Bention seconded. Voted-passed.

**ARTICLE 12:** Willis Lord made the motion to raise from Taxation Sum-Suff for **Unemployment Compensation, Social Security, Worker's Compensation, and Insurances, Medicare and County Tax**. Charles Cressey, seconded. Voted-Passed

**ARTICLE 13:** Doug Foglio, Sr. made the motion to table until next annual town meeting for a **Retirement Plan** for all full time employees pending further investigation. Willis Lord, seconded. Motion defeated

Stephen Kasprzak made the motion to direct the Board of Selectmen to amend the Town of Waterboro Personnel Policy to include an optional retirement plan for all full time employees at a cost to implement the plan not to exceed \$10,000. from Surplus for the fiscal year starting July 1<sup>st</sup>. Charles Cressey, seconded.

Bob Fay made the motion to move the question. Charles Cressey seconded. Voted-passed.

Motion to direct the Board of Selectmen to amend the Town of Waterboro Personnel Policy to include an optional retirement plan for all full time employees at a cost to implement the plan not to exceed \$10,000. from Surplus for the fiscal year starting July 1<sup>st</sup>. Voted-passed.

**ARTICLE 14:** Doug Foglio, Sr. made the motion to appropriate from Miscellaneous Fees \$37,131.00 for Town Clerk. Willis Lord seconded. Voted-passed.

**ARTICLE 15:** Doug Foglio, Sr. made the motion to raise from Taxation \$29,290.00 for Tax Collector. Bob Fay seconded. Voted-passed.

**ARTICLE 16:** Bob Fay made the motion to appropriate from Surplus \$8,000. for the Treasurer for additional personnel to correct inequities in the past accounting for this current fiscal year. Mike DeAngelis, seconded. Voted-passed

**ARTICLE 17:** Bob Fay made the motion to appropriate from Excise \$35,912.00 for Treasurer, Doug Foglio, Sr. seconded. Voted-passed.

**ARTICLE 18:** Willis Lord made the motion amend section 12.01 of the Waterboro Zoning Ordinance. Bob Fay, seconded. Voted-passed.

**ARTICLE 19:** Bob Fay made the motion to amend section 12.01 of the Waterboro Zoning Ordinance. Doug Foglio, Sr. Seconded. Voted-passed.

**ARTICLE 20:** Bob Fay made the motion to appropriate \$25,000. from Surplus + fees and the Board of Selectmen have the right to decrease hours depending on the volume of building permits for the **Building Inspector, Plumbing Inspector, Code Enforcement Officer**. To be spend with approval from the Board of Selectmen. Voted-passed.

**ARTICLE 21:** Jon Gale made the motion to raise from Taxation \$50,273.00 for the Waterboro Public Library, to be spent with approval from the Board of Selectmen. seconded. Bob Fay, seconded. Voted-passed.

**ARTICLE 22:** Doug Foglio, Sr. made the motion to appropriate \$72,680.00, salary to be \$28,080., maintenance payroll to be \$7,000.00 from Misc. fees plus all fees for Waterboro Parks and Recreation Department, to be spent with approval from the Board of Selectmen. Willis Lord seconded. Voted-passed.

**ARTICLE 23:** Willis Lord made the motion to raise from Taxation \$33,558. plus fees for the Waterboro Planning Board. John Littlefield seconded. Tim McNeil made the motion to amend to remove Legal fees to be spent with approval of the Board of Selectmen. Dwayne Woodsome seconded. Amendment-passed.

Motion to raise from Taxation \$33,558. plus fees for the Waterboro Planning Board and to amend by removing legal fees to be spent with approval of the Board of Selectmen. Voted-passed.

Motion for lunch break was made at 12:15 pm

Moderator Powers read the awards that are going to be presented to George Abbott, Sr. for 12 years servings as a custodian and for Pam L'Heureux for establishing the E-911 addressing system.

**ARTICLE 24:** Bob Fay made the motion to raise from Tree Growth \$4,940.00 for **Zoning Board of Appeals**. Willis Lord seconded. Voted-passed.

**ARTICLE 25:** Bob Fay made the motion to raise from Taxation \$31,200.00 for a **Full Time Fire Chief/Line Officer**. Charles Cressey seconded. Voted-passed.

**ARTICLE 26:** Jon Gale made the motion to raise from Taxation \$12,480.00 and appropriate from rescue fees \$12,480.00 for a **Full Time Firefighter/EMT**. John Littlefield seconded. Voted-passed.

**ARTICLE 27:** Bob Fay made the motion to raise from Surplus \$181,000.00 for the **Fire Dept.** services (\$147,000.00) Fire Engine 3 (\$17,574.470, Fire Engine 1 (\$16,536.32) to be spent with approval from the Board of Selectmen. Willis Lord seconded. Voted-passed.

**ARTICLE 28:** John Littlefield made the motion to appropriate from Rescue Fees \$73,420.00 for **Rescue Services**, fees to be spent for rescue services only. To be spent with approval from the Board of Selectmen. to be spent with approval from the Board of Selectmen. Mike DeAngelis seconded. Voted-passed.

**ARTICLE 29:** John Littlefield made the motion to Appropriate from the capital improvement fund as outlined in the Fire Dept. Ordinance, revenues up to \$120,000.00 for the **lease purchase of a new ambulance**. Terms being: a down payment of \$20,000.00 and balance to be repaid over a period of five years and that this article shall appear for the next FIVE (5) years. Willis Lord seconded. Voted-passed.

**ARTICLE 30:** John Littlefield made the motion to appropriate from Tree Growth \$5,000.00 for **Ross Corner Fire Company** for the year ensuing. Tony Wolfinger seconded. Voted-passed.

**ARTICLE 31:** Bob Fay made the motion to raise from Taxation \$29,944. for a dedicated **Sheriff** . John Littlefield seconded. Voted-passed.

**ARTICLE 32:** John Littlefield made the motion to appropriate from Surplus \$ 2,989. for the **EMA Department**, to be spent with approval from the Board of Selectmen. Frank Birkemose, Jr seconded. Voted-passed.

**ARTICLE 33:** John Littlefield made the motion to authorize the Board of Selectmen to enter into an interlocal agreement between Waterboro and Hollis regarding the use of the Waterboro stump dump and whites goods for the year ensuing if Hollis satisfies the Board of Selectmen with a new financial arrangement. Bob Fay seconded. Voted-passed.

**ARTICLE 34::** Bob Fay made the motion to authorize the Board of Selectmen to sell recycled materials and all proceeds to be credit toward the Stump Dump Account. Charles Cressey seconded. Voted-passed

**ARTICLE 35:** Doug Foglio, Sr. made the motion to appropriate \$33,000. plus fees from Surplus for **Current year Transfer Station/Stump Dump**. Willis seconded.

**ARTICLE 36:** Steve Kasprzak made the motion to raise \$ 490,000. from Taxation and appropriate \$70,000 from Surplus plus fee from Dump Fees for **Solid Waste Disposal and Maintenance of the Stump Dump Area** , Doug Foglio, S. seconded. Voted-passed.

**ARTICLE 37:** Douglas Foglio, Sr made the motion not to require **Clear Bags** for disposing of household rubbish. Dwayne Woodsome, seconded. Voted-passed.

**ARTICLE 38:** Bob Fay made the motion to raise from Taxation \$2,100. for the **Recycling Committee** Willis Lord seconded. Voted-passed.

**ARTICLE 39:** Willis Lord made the motion to appropriate from Surplus \$4,000.. for **Mercury Recycling** . John Littlefield seconded. Voted-passed

**ARTICLE 40:** John Littlefield made the motion to appropriate from Surplus **\$10,250.00 for Hydrant Rental**. Bob Fay seconded. Voted-passed.

**ARTICLE 41:** Jon Gale made the motion to appropriate \$12,750. from Surplus for social agencies. William Griffin seconded. Voted-passed.

**ARTICLE 42:** John Littlefield made the motion to appropriate \$ 517,481.00 from Excise for **Snow Plowing Contracts , Sanding, Seasonal Roads Cutting of Brush Seal Coat and Tar , Roads and Bridges , Striping , Crushing , Ditching** . Bob Fay seconded. Voted-passed.

**ARTICLE 43** Bob Fay made the motion to appropriate from Excise \$4,000.00 for **E-911 signs** . John Littlefield, seconded. Voted-passed.

**ARTICLE 44:** Bob Fay made the motion to authorize the Road Commissioner with fiscal approval from the Board of Selectmen to spend public funds on emergency winter maintenance for public safety reasons only on private property out of the winter maintenance account. John Littlefield seconded. Voted-passed.

**ARTICLE 45:** Bob Fay made the motion to appropriate from Excise \$5,000.00 for plowing, sanding, and snow removal on the **West Road Sidewalk**. Steve Kasprzak seconded Voted-passed.

**ARTICLE 46:** Bob Fay made the motion to appropriate from Excise \$5,000.00 for **Municipal Parking Lots**. John Littlefield, seconded. Voted-passed.

**ARTICLE 47:** Douglas Foglio,, Sr made the motion not to maintain and plow the **East Shore Road**. Dwayne Woodsome seconded. Sue Ellen Chamberlain made the motion to move the question. Charles Cressey seconded. Voted-passed.

Motion not to maintain and plow the East Shore Road.  
Count: Yes- 33 No-19 .

**ARTICLE 48:** Bob Fay made he motion to appropriate \$43,569. from Excise for the **Middle Road South**. Steve Kasprzak seconded. Voted-passed

**ARTICLE 49:** Bob Fay made the motion to appropriate from Excise \$50,910.00 for **Thyngs Mills Road**. Steve Kasprzak seconded. Voted-passed.

**ARTICLE 50:** Bob Fay made the motion to allow the **Road Commissioner Health/Dental Insurance**. Mike DeAngelis seconded. Diane Herrle made the motion to approve pending allowing elected positions being included in the personnel policy. There was no second. Dwayne Woodsome made the motion to move the question. Bob Fay seconded. Voted-passed.

Motion to allow the Road Commissioner to have Health/Dental Insurance. Voted-passed.

**ARTICLE 51** **Bob Fay** made the motion to accept Belanger Drive as a town approved road. Paul Gilson seconded. Voted-passed.

**ARTICLE 52:** Bob Fay made the motion to accept **Killock Drive as a Town Road**. Paul Gilson seconded. Voted-passed

**ARTICLE 53:** Bob Fay made the motion to **Discontinue a section of Roberts Ridge for the relocation on the Town House Road entrance**. John Littlefield, seconded. Voted-passed.

**ARTICLE 54:** Bob Fay made the motion to accept a **Gift of land from Patricia Swett**. John Littlefield seconded. Voted-passed.

**ARTICLE 55:** Bob Fay made the motion to **Approve the Municipal Officer's Order of Discontinuance** of a section of Roberts Ridge Road dated March 19,2002 and filed by the Municipal Officer's with the Town Clerk, which would discontinue a section of the Roberts Ridge Road both as a town way and as a public easement. Willis Lord seconded. Voted-passed.

**ARTICLE 56:** Bob Fay made the motion to allow state revenues from registration fees derived from the registration of snowmobiles to be placed in a separate account for the maintenance of **Fire Roads** for the year ensuing and to be expended under the direction of the Fire Chief, Road Commissioner and a Representative from the Snowmobile Club. Willis Lord, seconded. Voted-passed.

**ARTICLE 57:** Bob Fay made the motion to appropriate \$7,000. from Suplus + interest for **Research, Repair and Restoration of Cemeteries**, John Littlefield seconded. Voted-passed.

**ARTICLE 58:** John Littlefield made the motion to appropriate \$1,000. from Surplus for **Memorial Day**. Charles Cressey seconded. Voted-passed.

**ARTICLE 59:** Jon Gale made the motion to appropriate \$14,000. from Surplus plus revenue account for **Waterboro Old Home Days** for the year 2003 to be spent with approval of the Board of Selectmen. Larry Jacobsen seconded. Voted-defeat.

Steve Kasprzak made the motion to appropriate from Surplus \$20,485. + revenues for Waterboro Old Home Days for the year 2003 to be spent with approval of the Board of Selectmen, Willis seconded. Voted-passed.

**ARTICLE 60:** John Littlefield made the motion to appropriate from Surplus \$5,000.00 plus fees for the upkeep, maintenance and restoration of the so-called **Taylor/Frye/Leavitt House** Board of Trustees. Bob Fay seconded. Voted-passed.

**ARTICLE 61:** Bob Fay made the motion to appropriate from Surplus \$5,000. for the **Charter Commission**. John Littlefield, seconded. Voted-passed.

**ARTICLE 62:** Moderator Powers informed the voters of the change in the interest rate that was voted in by the Legislature and legal advise has stated that the rate can be changed. The new rate is 8.75%. Bob Fay made the motion to authorize the Collector of Taxes to charge interest at the rate of 8.75 % per year on all unpaid taxes remaining unpaid on the 31st day after the date of mailing. John Littlefield seconded. Voted-passed.

**ARTICLE 63:** Willis Lord made the motion to set the rate of interest at 8% on abated property taxes due to overvaluation, as per 36 M.R.S.A. s506-A. John Littlefield seconded. Voted-passed.

**ARTICLE 64 :** John Littlefield made the motion to authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. §506. Willis Lord seconded. Voted-passed.

**ARTICLE 65:** John Littlefield made the motion to authorize the Board of Selectmen to accept donations of gifts of money or materials on behalf of the Departments of the Town. Mike DeAngelis seconded. Voted-passed.

**ARTICLE 66:** John Littlefield made the motion to appropriate from \$16,000.00 for Waterboro's share of a regional Public Access Facility. Said amount not to exceed the amount that the town receives from the Cable Company franchise fee each year. Bob Fay seconded. Voted-passed.

**ARTICLE 67 :** Bob Fay made the motion to appropriate \$76,900. from the Road Block Grant **West Road D.O.T. Program** and next year put in a reserve fund. Steve Kasprzak seconded. Voted-passed.

**ARTICLE 68:** Bob Fay made the motion to appropriate \$125,000. from Excise for the principle and interest of the \$1,000,000.00 (one million dollar bond) passed at the Annual Town Meeting held March 11, 2000. This article will appear in the next eight (8) annual Town Meeting. Willis Lord seconded. Voted-passed.

**ARTICLE 69:** Bob Fay made the motion to authorize the Selectmen to Dispose of the remaining lots owned by the Town of Waterboro in Lake Arrowhead Estates. Paul Kussman seconded.

Paul Kussman made the motion to amend by adding as non residential lots. Terry Lowell seconded. Bob Fay withdrew his motion.

Dwayne Woodsome made the motion to include a member from the Planning Board, Conservation and Code Enforcement Officer. No second.

Paul Kussman made the motion to authorize the Selectmen to dispose of the remaining lots as non-buildable that are owned by the Town of Waterboro in Lake Arrowhead Estates. Terry Lowell seconded. Voted-passed.

**ARTICLE 70:** Dwayne Woodsome made the motion to amend **Article 3 Sections 3.04 .02, 3.05.02, 3.06.02, 3.07.02, 3.08.02** to add licensed Day Care facilities and Home Day Care providers as a conditional use in all zoning districts as of April 27, 2002

excluding the (VR) district. All day care facilities shall be required to construct a fence that the Planning Board deems suitable (see Article 4 Sections 4.01, 4.02, 4.03) to enclose the outdoor activity area of the facility. The fence shall be a minimum of 4' in height. Willis Lord seconded. Voted-passed.

Steve Kasprzak made the motion to bring forward Article 86. John Carter seconded. Voted-passed.

**ARTICLE 86:** Steve Kasprzak made the motion to pass as written to amend Article 3 of the Waterboro Zoning Ordinance. John Littlefield seconded. Voted-passed.

**ARTICLE 71:** Willis Lord made the motion to pass as written to amend Article 14 of the Waterboro Zoning Ordinance to adopt the State of Maine definition of Day Car Facility and Home Day Care Provider. Mike DeAngelis seconded. Voted-passed.

**ARTICLE 72:** Dwayne Woodsome made the motion to amend Article 12 Fees of the Zoning Ordinance as written. John Littlefield seconded. Voted-passed

**ARTICLE 73:** Dwayne Woodsome made the motion to amend Section 10.08 of the Waterboro Zoning Ordinance as written. Larry Jacobsen seconded. Voted-passed.

**ARTICLE 74:** Dwayne Woodsome made the motion to amend Article 2 General Provisions Section 2.03 Paragraph 2, as written. John Littlefield seconded. Voted-passed.

**ARTICLE 75:** John Littlefield made the motion to amend Article 2 General Provisions Section 2.04, paragraph 2 as written. Dwayne Woodsome seconded. Voted-passed.

**ARTICLE 76:** Mike DeAngelis made the motion to amend Article 3 Sections 3.04.02A.4, 3.05.02-4, 3.06.02-3, 3.07.02-3, 3.08.02-6 as written. John Littlefield seconded. Voted passed.

**ARTICLE 77:** Willis Lord made the motion to amend Article 5 Traffic, Parking and Road Access Section 5.01 third paragraph as written. John Littlefield seconded. Voted-passed.

**ARTICLE 78:** Dwayne Woodsome made the motion to amend Article 14 Definitions as written. Sue Dunlap seconded. Voted-passed.

**ARTICLE 79:** Dwayne Woodsome made the motion to amend Article 3 Zoning Districts by deleting Section 3.10 removing the Land use Chart. John Littlefield seconded. Voted-passed.

**ARTICLE 80:** Sue Dunlap made the motion to amend the Waterboro Zoning Ordinance as written. John Littlefield seconded. Voted-passed.

**ARTICLE 81:** John Littlefield made the motion to amend Article 11 as written. Dwayne Woodsome seconded. Voted-passed.

**ARTICLE 82:** Willis Lord made the motion to amend the Waterboro Subdivision Regulations as written. John Littlefield seconded. Voted-passed.

**ARTICLE 83:** Dwayne Woodsome made the motion to amend Article 3 Zoning Districts Section 3.01 to add a General Purpose (GP) Zone as written. Willis Lord seconded. Voted-passed.

**ARTICLE 84:** Sue Dunlap made the motion to amend the Waterboro Site Plan Review Ordinance as written. Diane Herrle seconded. Voted-passed.

**ARTICLE 85:** Dwayne Woodsome made the motion to amend the amendments as written for correction. John Littlefield seconded. Voted-passed.

**ARTICLE 87:** Willis Lord made the motion to amend the Waterboro Subdivision Regulations as written. Doug Foglio, Sr., seconded. Voted-passed.

Motion for adjournment was made at 4:40 p.m.

Respectfully submitted,

Nancy Brandt,  
Town Clerk

