

**Board of Selectmen
Meeting Minutes
March 9, 2009**

Selectmen Present were: Rosendel Gerry, Chairman, Richard M. McLaughlin and H. Bob Plausse. Excused were: Cathy Hardy and E. Earle Brown

1. Executive Session:

Motion by Plausse, second by McLaughlin, to enter into executive session with the Town Attorney pursuant to Title 1 MRSA Section 405(6)(E) to discuss the legal rights and duties of the Board of Selectmen. **Vote: 3-0.**

Upon returning to open session, **Motion** by Plausse, second by McLaughlin, to adjourn the executive session. **Vote: 3-0.**

Motion by Plausse, second by Brown, that the Board authorize the Town Attorney to file an amicus (Friend of the Court) brief with the Maine Supreme Court as recommended by the Planning Board in the Davis v. Town of Lincolnville matter. **Vote: 5-0.**

2. Citizen's/Selectmen's Forum:

Greg Boetsch requested that on the Board's next agenda an item be placed to discuss to separate out the Police Department from the Protection budget with the Town Meeting warrant. Kinney explained that the draft Town Meeting warrant articles were on the Board's agenda for later in this meeting as item #10 and that it would be appropriate to discuss it at that time. Boetsch indicated that he would go home to take care of a pending matter but that he would return later in the meeting to discuss his request.

Will Brown of the Conservation Commission gave an update of the CMP tree trimming project and the most recent challenges with the project (cutting on private property, etc.). He encouraged people to get on the notification list at CMP and explained how to do so.

3. Administrator's Report:

Kinney reported:

- The Police Department has received a grant for a lap top computer.
- The AED (automatic external defibrillator) obtained by the Police Department via a grant has been received.
- The various property tax programs available to assist taxpayers including the Homestead program, Veteran's exemption, blind exemption and the Circuit Breaker program.
- The violations issued by the Department of Labor have been addressed except for two Fire Department issues. The town has obtained an extension until May 31st to address the remaining items.
- Nomination papers will be available at the Town Office on Monday, March 16th for two seats on the Board of Selectmen, two seats on the School Committee, one seat on Five Town CSD Board and three Budget Committee seats.
- The Board needs to start thinking about the Town Report dedication.

- That Drake Corner Store would soon be accepting the Wright Express fleet card system and when they can we will be obtaining these fleet cards for the town vehicles.

4. Meetings & Announcements:

Kinney read the meetings and announcements from the agenda.

5. Upcoming Community Events:

None

6. Meeting Minutes:

Motion by Plausse, second by McLaughlin, to approve the meeting minutes of February 23, 2009 as written. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin, to approve the meeting minutes of February 26, 2009 as written. **Vote: 3-0.**

7. Public Hearing: Special Amusement Permit Application – Cellardoor Vineyard

Bettina Doulton of the Cellardoor Vineyard explained her application. She stated that she recognized that she is operating a commercial business in a residential area. She believes that they are a positive contributor to the community and that she listens and responds to concerns. The Vineyard is planning for the upcoming season and would like to offer music during business hours.

Motion by Plausse, second by McLaughlin, to open the public hearing. **Vote: 3-0.**

Greg Boetsch stated that the Board should issue the permit. He is always for any entertainment.

No other public comment was received.

Motion by McLaughlin, second by Plausse, to close the public hearing. **Vote: 3-0.**

McLaughlin stated that a permit from the Fire Marshal's office would be required for fireworks.

Plausse stated that application states outside music from noon to 10PM. Doulton responded that during the harvest festival the music in the vineyard would go until 10PM. Gerry asked if 10PM were for the harvest fest only. Plausse questioned outside amplified music, was this only for harvest fest on 10/2 & 10/3 from noon to 10PM? What about other dates. Doulton indicated that possibly in keeping with business day. Doulton stated that application was intentionally kept vague as outside light issue has been a problem for her business due to planning board condition.

McLaughlin suggested tabling for full Board consideration.

Plausse stated that he does not want to create another (noise) problem.

Doulton stated that 10/2 & 10/3 until 10PM and otherwise 7PM would be acceptable to her.

Motion by Plausse, second by McLaughlin, to grant a Special Amusement Permit for the Cellardoor Vineyard with the conditions that outside amplified music cease no later than 7 PM, except for October 2 and 3, 2009 when outside music shall cease no later than 10PM while inside amplified music be permitted until 9PM (per application). **Vote: 3-0.**

The applicant was informed that if events outside these hours were desired they could re-apply for each individual event.

8. Liquor License Renewal – The Inn at Ocean’s Edge:

Motion by Plausse, second by McLaughlin, to approve the liquor license renewal application for The Inn at Ocean’s Edge. **Vote: 3-0.**

9. Process for Committee Appointments:

Kinney explained the process utilized over the last several years for committee appointments. Further he explained that some possible confusion existed and that before the process is started again he wanted to see if the Board desired any changes.

By consensus the Board agreed that no Community Interest Forms would be required for members wishing to be re-appointed. New applicants (or if someone wished to be appointed to a new committee) would require a Community Interest Form.

10. Annual Town Meeting Warrant Article Review:

Kinney explained several loose ends that needed to be finalized before the presentation of the budget to the Budget Committee.

Motion by Plausse, second by McLaughlin, to keep the request from the Camden-Rockport-Lincolnville Chamber of Commerce within the Provider Agency heading for this year.

Gerry thought that this was appropriate for this year. He suggested a joint meeting with the Budget Committee after the budget season to create a definition of a provider agency for coming years.

McLaughlin stated that he thought we were too far along for this year.

Vote: 3-0.

Motion by McLaughlin, second by Gerry to recommend \$1,000 for the American Red Cross. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin to recommend \$500 for the Belfast Area Child Care Services. **Vote: 3-0.**

Motion by Gerry, second by McLaughlin to recommend \$0 for Broadreach Family & Community Services. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin, to recommend \$1 for the Camden Area District Nursing Association. **Vote: 3-0.**

Motion by Plausse, second by Gerry to recommend \$1,000 for the C-R-L Chamber of Commerce. **Vote: 3-0.**

Motion by Plausse, second by Gerry to recommend \$500 for the Interfaith Fuel Fund. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin to recommend \$0 for the Kno-Wal-Lin Home Health Care & Hospice. **Vote: 3-0.**

Motion by Gerry, second by McLaughlin to recommend \$1,000 for New Hope for Women. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin to recommend \$250 for the Sexual Assault Crisis & Support Center. **Vote: 3-0.**

Motion by Plausse, second by Gerry to recommend \$1,617 for Spectrum Generations. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin to recommend \$1 for the Tanglewood 4-H Camp and Learning Center. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin to recommend \$264 for the Teen Center, Inc. **Vote: 3-0.**

Motion by McLaughlin, second by Plausse to recommend \$3,824 for the Waldo Community Action Partners. **Vote: 3-0.**

Kinney explained the difference between capped and open-ended warrant articles. Further he stated that traditionally the Town has utilized the open-ended format.

McLaughlin suggested that a cap takes away the privileges of the voters.

Motion by Plausse, second by McLaughlin to utilize open-ended warrant articles. **Vote: 3-0.**

Boetsch made a request to separate out the Police Department budget from the Protection heading.

After some discussion, Motion by Plausse, second by Gerry to leave the Police Department under the Protection category (leave as is). **Vote: 2-0-1** (McLaughlin abstained). Motion failed for lack of three affirmative votes as required by Town Charter.

Kinney explained that without some direction he would not know what to present to the Budget Committee.

After additional Board discussion, **Motion** by Plausse, second by Gerry to reconsider. **Vote: 3-0.**

Motion by Plausse, second by McLaughlin, to keep the Police Department under the Protection warrant article for further discussion with Budget Committee. **Vote: 3-0.**

11. Treasurer's Warrant:

Motion by Plausse, second by McLaughlin, to approve and sign the Treasurer's Warrant. **Vote: 3-0.**

17. Adjourn:

Motion by Plausse, second by McLaughlin to adjourn. **Vote 3-0.**

Respectfully submitted,

David B. Kinney
Town Clerk