

Dear Residents of Waterford,

The purpose of this letter is to provide a brief update on this year's town meeting.

Background:

The annual town meeting is the culmination of a process which starts with the posting of a Warrant calling for a town meeting. The warrant is required to have the following elements:

1. **Description** - of the time and place of the meeting.
2. **List of Articles** - to be acted upon. In a typical year a majority of the articles are money articles where the executive branch (selectboard) is asking the legislative branch (voters at town meeting) to authorize the appropriation of funding to support spending initiatives. Occasionally there are other non-money articles asking for voter approval to make other changes, such as modifications or additions to the town ordinances.
3. **Notice To Voters** - A person (typically the town constable) is directed to notify voters to assemble at a time and place appointed by the Selectboard for the purpose of voting on the articles. That person is usually the one directed to post a copy of the warrant in a public place at least 7 days before the meeting.

This year we were presented with a situation where the local news channels were predicting potentially dangerous weather for the morning of the meeting. State law requires that once the warrant has been posted that the meeting must be opened at the appointed date, time and location that appears in the warrant.

On the Wednesday prior town officials began to raise safety concerns associated with the predicted weather conditions. Several conversations were had and it was decided to hold the meetings as planned. On Friday, during the annual Selectboard and School Board vote, numerous members of the community strongly suggested that the meeting be postponed until the following Saturday in hopes of safer traveling conditions. After consulting with the Maine Municipal Association, we were informed that because we had already posted the warrant, we were legally obligated to open the meeting. Once opened we could make a motion to postpone.

The decision was made to put a posting on the town website letting voters know that the meeting would open at 9:00 AM as scheduled and that the first order of business would be to vote on a proposal to postpone the meeting. The results of that vote would then be posted to the website. If the vote was to hold the meeting as scheduled, a one-hour

delay would allow voters to assemble at the municipal building prior to resuming the meeting.

The meeting was held at 9:00 as posted and directed. The legislative body voted overwhelmingly to hold the meeting and to allow a one-hour break to allow other voters to assemble at the municipal building.

At 10:15 the meeting was resumed. It should be noted that there was approximately 20 people in attendance for the first vote. This number climbed to over 70 by 10:15. The attendance at that time was in keeping with the level of attendance at most meetings in recent memory.

As an aside, town officials received significant amounts of criticism for having the meeting. The feedback came via direct communication and social media. Much of it as you might imagine was not nicely worded. It should be noted that there are state laws which govern what we can and can't do. In the end we tried our best to put the decision in the hands of the voters. The voters spoke and chose to have the meeting as scheduled. As always, the vote of the legislative branch should be respected. It is also worth noting, as previously stated, that the number of voters in attendance was very similar to what we have seen in recent years. It should also be noted that towns around us, including West Paris, held their town meetings as scheduled.

Article Votes – 1 through 68 (So Called Money Articles):

This is meant to be a very brief summary. If additional details are desired, please attend one of the Selectboard meetings for further discussion.

Articles 1 through 3 were acted upon during the Friday afternoon election.

Articles 4 through 68 were approved as submitted with very little discussion, except as noted below.

Article 40 – Charitable Donations: A motion was made from the floor to increase the amount of money being recommended for Community Concepts from \$1,750 to \$1,950. The motion was seconded and passed with unanimous support.

Article 45 – Surfacing of Waterford Roads: A question was raised from the floor if \$300,000 was sufficient to support our paving needs. It was clarified that the total budget was the \$300,000 being raised and the \$277,315 in savings. Article 12 allows for savings accounts to be used for the purposes they are intended.

Article 63 – Professional Property Tax Assessment: The Selectmen in their role as the Board of Assessors discussed the need to hire an outside assessment firm to set the value of land and building. The town's assessed values have not been keeping up with sales on the open market and they key metrics used to determine how fair and equitable the town's assessments are now indicate the need for an update. A motion was made to move the article, it was seconded, and the motion passed overwhelmingly.

Article Votes – 69, 70, and 71 (So Called Warrant Articles):

This year there were three ordinance related articles. Two were amendments to existing ordinances, while the third was a new ordinance. All three will be discussed independently.

It is very important to note that amendments to an ordinance, as well as the creation of a new ordinance, is part of a process. It starts with the desire to make a change, progresses through public hearings and document changes, and ends with a final up or down vote at the annual town meeting. State law does not allow modification of the ordinance language at town meeting.

All three of this year's ordinance articles started out as citizen initiatives. Two were driven by complaints by residents being impacted by the issues at hand, while the third was driven by a desire to protect Crooked River from what was seen as a dangerous commercial development in a neighboring town.

Article 69 – Amendment to the Site Plan Review Ordinance to allow higher noise levels:

This article proposed to change the noise provision inside the Site Plan Review Ordinance from a day-time noise level of 40 dB(A) to 55 dB(A), with the night levels changing from 35 dB(A) to 45 dB(A).

This change was based on a complaint by a local contractor that the noise levels in town were so restrictive that it would be nearly impossible for any commercial development. As a result of the complaint the Planning Board investigated how Waterford's noise levels aligned with neighboring communities. Public hearings were held, and the final language was agreed to and prepared for the warrant.

There was much debate and testimony during the town meeting regarding wedding venues and the associated noise levels generated by music during the celebrations. It was pointed out that the noise levels being generated by the wedding venues was well above the existing and proposed limits and therefore wouldn't be meaningfully impacted by the changes. A commitment was made by the Selectboard to make sure that existing violations continued to be enforced,

including legal action against those in violation of the ordinances. It was pointed out that there was a stop order against one of the most commented on venues, but that the venue was not abiding by the order and that it had been in the hands of the town's law firm for some time.

After allowing much discussion, the vote was called for and the amendment passed with a vote of 30 to 25 in favor.

Article 70 – Amendment to the Shoreland Zoning Ordinance to restrict commercial development in the resource protection zone.

This article was initiated by citizen concern that there was a loophole in the ordinance which allowed commercial development in the resource protected zone.

After a moderate amount of discussion and clarification this article passed overwhelmingly.

Article 71- Proposed Yard Sale Ordinance:

As was the case with the other two ordinances, this ordinance was the result of citizen initiatives. In this case it was complaints regarding perpetual yard sales and their impact on the people living adjacent to them.

The Planning Board chair explained that the purpose of the ordinance was to preserve yard sales as they were seen as a good mechanism for allowing the recycling of goods in order to keep them out of the waste stream. The ordinance was also intended to recognize the difference between a perpetual yard sale (business) and the occasional yard sale (non-business). The Yard Sale Ordinance makes it clear that perpetual yard sales are different than the occasional yard sale. Perpetual yard sales are considered businesses and must come in front of the CEO / Planning Board just like all other businesses in town.

Considerable conversation was had. Impacted individuals were given time to ask questions and make comments. Once the moderator was comfortable that the impacted individuals had been allowed to ask all their questions, he recognized a motion to call the vote. The article passed, 38 to 18 in favor.

Conclusions:

As always, the town meeting style of government works best when people participate. This year we were presented with a weather concern and three important ordinance changes. As always, people showed up. The discussions were open, fair, and cordial. Proving once again that reasonable people can get together, have reasonable conversations, and come to reasonable conclusions. Several comments were made at the end of the meeting regarding how well the meeting was run and how well the voters

treated one another. Although it might be uncommon in other communities, Waterford continues to show anyone who wants to watch or participate that Waterford is truly a peaceful village. Thank you to all who give their time in service to this wonderful community.

Sincerely,

Randy Lessard, Chair