

WISCASSET BOARD OF SELECTMEN
AUGUST 21, 2007

(Tape Recorded Meeting)

Present: Bill Curtis, Chairman Duane Goud, Vice Chairman David Nichols, Alex Robertson, Nicole Viele and Town Manager Arthur Faucher

1. Call to Order

Chairman Goud called the meeting to order at 7 p.m.

2. Pledge of Allegiance to the Flag of the United States of America

3. Approve Minutes of August 7, 2007

David Nichols moved, Alex Robertson seconded, to approve the minutes as presented. Vote 5-0.

David Nichols asked that the reference to Lt. John Allen in Item 12 of the August 7 minutes be included in his record.

Old Business

4. Previously Tabled - Discussion on Property Sale of Old Railroad Right-of-way (Roy Farmer)

Roy Farmer said he had land under contract in which the Town had an interest. The land was originally owned by the Wiscasset, Waterville and Farmington RR. Co. The Wiscasset Industrial Development Corporation acquired all land and rights of way from the railroad in 1964 and transferred these rights to the Town in 1996. At the request of Mr. Farmer, Eliot Field, who represents George and Joseph Bond, owners of the property, had advised the Selectmen regarding residual rights in these railroad lands. Attorney Field wrote that the Selectmen normally must have authority from Town Meeting in order to dispose of Town property. However, if the Town had adopted an article allowing the Selectmen to dispose of the property acquired from WIDCO at some time in the past, the Selectmen could act in accordance with that authorization.

Duane Goud said the Town Clerk is looking into the matter, and if a Town vote were needed, the earliest date that could be accomplished would be the election date in November. He is also looking into the reason owners of the property have been paying taxes on property owned by the Town. As soon as the Selectmen have the necessary information, they will make a recommendation. **Duane Goud moved, David Nichols seconded, to table this item until the next meeting. Vote 5-0.**

New Business

5. Discussion on James Siegars & Winters Gone Farm - Route 218 Traffic Problems

James Siegars described problems he was having with customers of Winters Gone Farm, across the street from his property, whose campers had been parked in his yard, who had used his driveway to turnaround, who had blocked his driveway, and whose tour buses with motors running had parked in front of his property. He said he realized there was no violation of any

traffic regulation, but asked whether "No Parking" signs could be installed on his side of the road. The State would have to concur with the parking restriction. Arthur Faucher said that he would contact the MDOT for approval to post the signs. He asked Skip Taylor of Winters Gone Farm if he could make provisions for additional parking. Mr. Taylor said he had approval from the Highway Department for customers to park along the road as long as they were off the road. Mr. Taylor offered to erect a sign indicating that the farm was 200 yards ahead, giving drivers warning so they would not miss his establishment and have to turn around in Mr. Siegars' driveway. There was a consensus of the Board that the "No Parking" signs be installed.

6. Request to Accept Harrison Lane as a Town Road

Harold Warren had requested by letter that the Town accept Harrison Lane. He said it was built to town specifications and approved. Bob Blagden, Road Commissioner, said accepting the road would be a liability. He had not approved the road and it would be necessary to test it to determine if the specifications had been met. He added that if the road were accepted, it would require the plowing of two intersections as well as the road. **Duane Goud moved, Bill Curtis seconded, to table this item to a date uncertain. Vote 5-0.** The Chairman will contact Harold Warren and obtain the specs on the road.

7. Award Winter Sand Bid

None was received.

8. Award Highway Cab & Chassis Bid

The following bids were received:

Weirs Motor Sales	\$44,894.00
Wiscasset Ford	34,259.00
O'Connor's	37,997.22

The Road Commissioner recommended accepting lowest bid from Wiscasset Ford. **David Nichols moved, Nicole Viele seconded, to accept the Wiscasset Ford bid of \$34,259.** Bob Blagden said that Wiscasset Ford had an item in stock for \$34,239 that did not meet the bid specs; it did not have heated mirrors but had a higher gear ratio and he would like to discuss this vehicle with the town mechanic. He said that the Board would still have to bid out the equipment, delivery of which could take eight to ten weeks, so it would be possible to hold out for the truck that met the specs. It was the consensus of the Board that the Road Commissioner could make the decision as to which truck to purchase as long as it did not exceed \$34,259. **Vote 5-0.**

9. Town Manager's Report

- Appointments:

Arthur Faucher asked for authorization to reappoint the following:

Airport Committee Members Ken Boudin, Jr. and Pam Brackett
Director of Planning and Development Jeffery Hinderliter
Police Lieutenant John Allen
Police Officer Alfred Simmons

Police Officer Kathy Williams
 Reserve Police Officer Robert Banks
 Reserve Police Officer Gary Caron
 Reserve Police Officer Glenn Glidden
 Reserve Police Officer Robert McFetridge
 Reserve Police Officer Jason Nein
 Reserve Police Officer Dan Nichols
 Reserve Police Officer Michael Smith
 Health Officer Stephen Reed

David Nichols moved, Alex Robertson seconded, to accept all but the Airport Committee members. Arthur Faucher said that he had spoken to the two Airport Committee members and they would like to stay on another year to finish work on hangar leases. Bill Curtis asked why this work had been delayed, stating that they had had ample time. There was also the question whether Ken Boudin, Jr. was a resident of Wiscasset. Bill Curtis said that according to the bylaws, members of the Airport Committee had to be residents of Wiscasset, and added that the committee is supposed to meet monthly and file reports of their meetings, which he could not verify had been done.

A resident of Wiscasset since 1990 asked why the police force wasn't reduced in size when Maine Yankee closed and suggested that the town could save money if police protection was outsourced. Duane Goud replied that the force had been downsized. Bill Curtis said that in the 1980s Lincoln County was approached about police protection for Wiscasset, but the idea was rejected, as it would have cost the town more than having its own force. **Vote 5-0.** The Selectmen will meet with the Airport Committee.

- Tax Anticipation Note (TAN) Bids

Arthur Faucher said four bids had been received as follows:

<u>Bank</u>	<u>Lump Sum</u>	<u>As Needed</u>
TD Bank North	3.99%	3.99%
Key Bank	3.88%	3.84%
Camden National Bank	4.54%	4.54%
The FIRST	3.77%	3.77%

Alex Robertson moved, Bill Curtis seconded, to accept The FIRST's bid of 3.77% for the TAN and

(1) That under and pursuant to Title 30-A, Section 5771 of the Maine Revised Statutes, as amended and supplemented, there be and hereby is authorized the issuance of up to \$3,000,000 principal amount of Tax Anticipation Notes of the Town in anticipation of the receipt of taxes for the municipal fiscal year which commenced July 1, 2007 and ends June 30, 2008.

(2) That such Notes shall be dated August 17, 2007, shall mature on June 30, 2008, shall be signed by the Treasurer and countersigned by the Chairman of the Board of Selectmen, shall bear interest at the rate of 3.77% per annum, shall be payable at The First, N.A. and otherwise be in such form and bear such details as the signers may determine.

(3) That said Notes are hereby sold and awarded to The First, N.A.

(4) That said Notes are hereby designated as qualified tax exempt obligations of the Town for the 2007 calendar year pursuant to the Internal Revenue Code of 1986.

(5) That all things heretofore done and all action heretofore taken by the Town, its municipal officers and agents in the authorization of said Note are hereby ratified, approved and confirmed and the Treasurer and Chairman are each hereby authorized to take any and all action necessary or convenient to carry out the provisions of this voting, including delivering said Notes against payment therefor. Vote 5-0.

- Airport Mowing Bid

Three bids have been received as follows:

Garry J. Hayward	\$2,500
Roy Barnes	2,350
Shawn Barnes	2,194

Duane Goud moved, David Nichols seconded, to accept the low bid of \$2,194 by Shawn Barnes for airport mowing. The contract for mowing had previously been awarded; however, the contractor had refused the award. The current bid is for mowing only, not brush cutting. **Vote 5-0.**

- Expense Reviews on the Mary Bailey Fund

Arthur Faucher said he and Alex Robertson had reviewed the items paid for by the Mary Bailey Fund in the past, and a list had been given to the Selectmen. He said there was no evidence that the fund had paid for or financially supported a full-time teaching position. The balance in this endowment account as of June 30, 2007 was \$219,159.27. He reported that the School Department would withdraw its request for funds submitted previously, but may submit another in the future. The Board discussed setting a base amount for the fund and whether this should change yearly, how interest would be applied and what could be done to protect the fund when school consolidation takes place. **Duane Goud moved, Alex Robertson seconded, to establish a base of \$175,000 for the fund with other details as far as rolling interest into the base and establishing a new base to be worked out before the next meeting. Vote 3-2** (Curtis and Nichols opposed).

Nicole Viele said that there were other funds set up for the benefit of Wiscasset students, some of which were under the purview of the Selectmen. She recommended that the Board seek legal advice in order to protect these funds in the future after school consolidation takes place. She said Brann and Isaacson had contacted the Board offering its services relative to the school consolidation at no charge. **Nicole Viele moved, Bill Curtis seconded, to meet with the Brann and Isaacson law firm at no charge to see what they can offer to Wiscasset as far as keeping the funds in Wiscasset. Vote 5-0.**

There was a five minute recess at 8:15 pm.

10. George L. Green and Steve Mehrl Request to Address Board of Selectmen for Review of Tax Maps and Associated Data

Steve Mehrl said the goal of his presentation was to show what information was available on the Town website and the value of work done to date. He illustrated by tax map and by a list of land assessments made by Tyler the variations in neighboring properties or those having like features, such as deep water or tidal flats. He urged taxpayers to look at the data that was available and ask questions if they thought something was wrong. He said it was now up to the Selectmen to review, understand and accept the assessments.

Taxpayers present said their property had not been assessed, they had not received a notice, had not received letters or had phone calls returned by Tyler, their assessments were wrong, the assessors had not received adequate direction from the Selectmen, and properties were assessed at best use not present use or as commercial when they should have been residential.

Duane Goud said that Tyler's contract ended on August 31, after which the Selectmen would have to vote to accept the assessments. He said some problems had come up in the meetings with taxpayers and they have been addressed. He said the Tyler representatives had accommodated everyone who had asked to meet with them and that letters responding to those who had met with them were going out that week. He added that they would have been at this meeting but they had a prior commitment. He asked the taxpayers who had not received a letter to leave their names with him, and asked that a notice to that effect be put in the newspapers.

In response to questions, Duane Goud said that the reason the Town awarded the bid to an out of state company was that only two firms bid on the contract and both were from Connecticut. Tyler has been paid for the work they have done to date. Steve Mehrl said a number of people had asked for another meeting with Tyler. One taxpayer suggested that Tyler come back and correct the mistakes they had made and that the contract be extended for three or four months.

11. Other Board Business

Nicole Viele announced that a school consolidation meeting would take place on Wednesday, August 29, 6:30, at the Town Hall.

The next regular Selectmen's meeting will take place on September 11. The Board will meet with the auditors on August 27, will conduct interviews for the Waterfront Committee on August 28 and will hold a workshop on matters related to the Transfer Station also on August 28 at 7 p.m. Recycling will be among the topics to be discussed at the workshop. Woody Freeman and selectmen from Westport Island and Alna will be invited.

At 10 p.m. Alex Robertson moved, Duane Goud seconded, to extend the meeting to an uncertain time. Vote 5-0.

Duane Goud moved, Bill Curtis seconded, to make a policy that the Parks and Recreation Department pick up trash at the waterfront on weekends from May 1 through October 31. Vote 5-0.

Nicole Viele reported that Lt. Allen had recommended higher fees for parking in front of fire hydrants. This will be discussed when Lt. Allen is present.

The use of law firms was discussed: the possibility of using Bernstein Shur for the school consolidation matters and Murray, Plum and Murray as consultants for the gasification plant. Alex Robertson suggested that the Town Manager contact the engineering school at Orono for information on the gasification process.

12. Adjourn

At 10:20 p.m. **Nicole Viele moved, Alex Robertson seconded, to adjourn the meeting. Vote 5-0.**