

WISCASSET BOARD OF SELECTMEN  
SEPTEMBER 16, 2008

(Tape recorded meeting)

Present: Bill Curtis, Phil DiVece, Bob Fairfield, Chairman David Nichols, Vice  
Chairman Nicole Viele and Town Manager Arthur Faucher

1. Call to Order

Chairman David Nichols called the meeting to order at 7:02 p.m.

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

3. Approve minutes of September 2 and 6, 2008

The minutes of September 2 were amended to indicate that Phil DiVece and Bill Curtis will accompany Attorney Peter Murray in his meetings with the DEP and CMP. **Bill Curtis moved to accept the September 2 minutes as amended. Vote 5-0. David Nichols moved to accept the minutes of September 6 as read. Vote 5-0.** Paula Gibbs said, as a clarification of the September 2 minutes, that Maine Yankee has not been receiving any money from the federal cleanup fund.

**New Business**

The chairman announced that there would be no comments from the audience until the Citizen Comment period.

4. Request for \$7000 from Mary Bailey Fund

No representative from the School Department was available to address this issue. **Bill Curtis moved to table this item until there is representation from the school. Vote 4-1** (Viele opposed).

5. Proposed Fee Schedule for Commercial Waste Haulers

**Bill Curtis moved that the Wiscasset municipal officers herewith establish a tipping fee for commercial haulers at the Wiscasset Transfer Station. The fee shall be \$90.00 per ton factored in over a three-year period. The first thirty dollars will be effective November 18, 2008. An additional fee of thirty dollars will be assessed November 18, 2009, and November 18, 2010 respectively. This fee shall apply to materials deposited in the hopper only. Haulers will not be charged for materials deposited in the Wiscasset Transfer Station single stream recycling process. Fees established for other specific material deposited at the Transfer Station shall stand as is until revised. Vote 5-0.**

6. Town Manager's Report

- Resignation of Executive Secretary: Debi Applebee has submitted her resignation as executive secretary effective October 15, 2008. **Phil DiVece moved to accept**

**the resignation of Debi Applebee as executive secretary with regret and wish all the best for her and her family in Florida. Vote 5-0.**

- Award Winter Snow Removal Bids for 2008/2009 season: Four bids were received as follows:

G&D Cromwell	\$50/hr (3 trucks)	\$700/event
Ronald Harrison	\$38/hr (3 trucks)	\$385/event
Michael Trask	\$55/hr (2 trucks)	\$900/event
Hagar Industries	\$65/hr & \$85/hr (3 trucks)	\$750/event

**David Nichols moved to accept the bid of Ronald Harrison for \$38 per hour and \$385 per event. Vote 5-0.**

- Recommendation for Waterfront Consulting Service: **Bob Fairfield moved to accept the Waterfront Interview Committee's recommendation and hire Sheepscot River Mooring and Marine Services for consulting services. Vote 5-0.**
- Constitution Week Proclamation: **David Nichols moved that we sign the Proclamation for Constitution Week, September 17 to September 23, 2008. Vote 5-0.**
- Appointments: Arthur Faucher submitted names for reappointment by the Board. **David Nichols moved to appoint Duane Goud, Sealer of weights and measures; James George, Treasurer and Property Tax Collector; Susan Varney, Tax Assessor Agent; and Sandra Johnson, Town Clerk, Excise Tax Collector and Registrar of Voters. Vote 5-0.** Arthur Faucher, Bob Fairfield and Phil DiVece will interview a candidate for the Budget Committee.

## 7. Other Board Business

**Bill Curtis moved to add the comments made at the public hearing on school closure to the minutes of this meeting. Vote 5-0.** (Comments are attached.)

**Nicole Viele moved to accept the warrant article (for project bonds) to be put before the voters in November.** David Nichols read the proposed warrant article: "Shall the Town of Wiscasset School Committee be authorized to construct and equip renovations and additions to the Wiscasset Primary School and Wiscasset High School at the respective school sites on Route 27 (collectively, the "Project"); and shall the Town be authorized to issue bonds or notes for that purpose in an amount not to exceed \$14,000,000, which bonds may be made subject to redemption with or without premium, provided, however, that in connection with these projects the Wiscasset Middle School shall be closed?" He also read a financial statement indicating that the amount of bonds outstanding and unpaid is \$1,745,410 and there is an outstanding \$3,000,000 tax anticipation note for cash flow purposes. Phil DiVece said that the School Committee held a public hearing on September 11 on this matter where the proposal was outlined in detail. **Vote 2-3** (Curtis, Fairfield and Nichols opposed).

**David Nichols moved to schedule an assessors' meeting for Thursday, September 18 at 6:30 p.m.** Nicole Viele said she was not available on that evening and she recommended not holding the meeting until the Assessor's Agent could be present to

answer any questions the board might have. David Nichols said that the courts have made it clear that even though the Board of Assessors may rubberstamp the work of their agent, all the legal assessing powers and responsibilities continue to rest with the assessors. **Vote 4-1** (Viele opposed).

Bob Fairfield said that since it had been brought to the attention of the board that adjustments had been made in property valuations without the approval of the board of selectmen, **he moved that we delay sending out the tax bills until we, as a board, can review, approve or deny the changes that have been made.** The Town Manager noted that there is no requirement to mail tax bills. Town Treasurer Jim George said that the date that taxes are due was set by the voters at the Annual Town Meeting and cannot be changed. **Vote 4-1** (Viele opposed).

Phil DiVece said that in order to set the record straight, he would like to point out that Chewonki is paying \$14,466 in property taxes on housing with a \$1.1 million valuation.

#### 8. Citizen Comments

Paul Grover asked why the request from the Mary Bailey fund had increased from \$5,200 last year to \$7,000 this year. The chairman said no one was present to explain the difference. He also referred to the \$2 per hour raise given to Debi Applebee and asked whether her replacement would be given the same salary. Arthur Faucher said the new employee's salary would be based on qualifications and ability. Grover asked what the cost would be to build a new K-8 school, and School Superintendent McIntyre said the architect had estimated \$21 to \$28 million.

Dick Grondin questioned the wording of the motion regarding the project bonds for renovations and additions to the schools and asked whether the board had voted to not put the article on the ballot. It was determined that the motion to put the article on the warrant had failed, which was not the intention of the board. **Phil DiVece moved to reconsider the motion to put the school article on the ballot. Vote 5-0. Phil DiVece moved to place a warrant article for project funds on the November ballot. Vote 5-0. Nicole Viele moved to recommend a "yes" vote on the warrant article. Vote 1-3-1** (DiVece, Fairfield and Nichols opposed, Curtis abstained). The board members signed the warrant.

Prior Morrell, referring to the previous meeting's presentation on tidal power, said the Town of Wiscasset had no jurisdiction on the river. He asked for an explanation from the Town Manager as to why the town needed to be involved in tidal power. He asked Phil DiVece why the words "at special request" had been left out of the FOAA policy and asked him to be sure the words were included.

Bob Blagden said he was disappointed that members of the audience could not speak as issues came up. He said the waste haulers were present for the vote, but could not speak and had left the meeting. Bill Curtis responded that he, the town manager and the former transfer station superintendent had met and discussed at length the new fees with the waste haulers.

Clark Jones said that increasing the fee for waste haulers would only result in increased fees for their customers. He objected to having to wait until Citizen Comments to speak

about actions the Board has taken, as he thought the decision on the waterfront consultant was a bad move.

George Green asked whether the Town was locked into the contracted price of heating oil if the market price decreased. David Nichols said the supplier should be contacted to find out what happens if the price goes lower than the contract price.

Jay McIntyre apologized that a representative was not present at the meeting to address the Mary Bailey Fund request, but someone would attend the next meeting. In response to a statement made by Bob Blagden relative to the cost of the bond, McIntyre said that the \$990,000 cost of the bond would offset operating costs and address the safety concerns.

**At 8:20 p.m., Phil DiVece moved to enter executive session under Subchapter 1, Section 405, Subsection 6(A)(2) to discuss a litigation matter. Vote 5-0.**

The Selectmen exited executive session at 8:36 p.m.

**Selectman DiVece moved for the Town Manager to send a letter to attorney Dennis Jumper in regards to the litigation of Case A.** The letter is to request that the attorney work out a schedule to take care of the subject matter and notify the Selectmen in writing. There are to be no town employees involved in the work. The job should be done by employing the private sector. The Town Planner and Code Enforcement Officer are to be kept advised of what is to happen and when, and they in turn will report to the Board of Selectmen. **Vote 5-0.**

Selectman DiVece asked if the Board felt their vote of 1-3-1 on the \$14,000,000 warrant article for project bonds could be clarified for public purposes. After some discussion on making matters more understandable, **Selectman Viele moved to reconsider the 1-3-1 vote. Vote 5-0.**

**Selectman DiVece moved to recommend a "No" vote on the school's ballot question of \$14,000,000.** Discussion: It was felt that it was too much money for taxpayers to endure. The voters' decision on the school consolidation was still unknown. Hearing no other discussion, the Chair called for a vote. **Vote 4-1.** The vote goes in as a "no" vote on the ballot.

#### 9. Adjourn

**Selectman Curtis moved to adjourn at 8:43p.m. Vote 5-0.**

Wiscasset School Facilities  
Urgently Needed Fine Tuning

Health, Safety, Industrial Hygiene,  
Environmental (air quality and mold)

High School

Girls' Shower Room - Severely rusted water closet partitions  
Boys' Shower Room - No water closets, no privacy  
Computer Systems Control Room - Potential exposure to 110/120 voltage from the unprotected, open backs of cabinets

#### Middle School

Emergency Exit (east side) - Non-conforming stair riser 14", Std. 7.0/7.5; Landing outside door, negative 12", must be level; walkway to street 35"  
East Side Wall and Foundation - Water seepage into band room and teachers' office  
Portable Classroom (Adjacent to 2003 addition) - Snow slides off roof and becomes wedged between the portable classroom and windows of main building.

#### Primary School

Water seepage in, on and around the Maine Power Distribution Center  
Sewage holding tank needs an active fluid level indicator system. System can be connected to start the overflow pump.

#### All Buildings

Inadequate quality air make-up.