

Agenda Notes

Selectmen's Meeting 6/17/14

- 3.) The Board of Selectmen will nominate a Chairman and vote on the nomination. This is an annual procedure, which occurs during the first meeting of the new Board after an election.
- 4.) The Board of Selectmen will nominate a Vice-Chairman and vote on the nomination. This is an annual procedure, which occurs during the first meeting of the new Board after an election.
- 8.) **Special Presentations.**
 - a. Ron Phillips, President and CEO of CEI will discuss relocation of the company's headquarters from Wiscasset to Brunswick.
- 11.) **Department Head or Committee Chair Report.**
 - a. Ron Lear would like to raise tipping fees for lumber at the Transfer Station from .01 per pound to .04 per pound. Please see Ron's memo regarding the requested changes. The Selectmen will set the fees for the Transfer Station.
- 14.) **Town Manager's Report.**
 - a. Interim Town Manager Don Gerrish will discuss meetings of the Board of Selectmen during the summer months.

WISCASSET BOARD OF ASSESSORS
MAY 27, 2014

Present: Selectmen Judy Colby, Vice Chair; Pam Dunning; Tim Merry; and Jeff Slack; and Assessor's Agent Sue Varney

Absent Selectman Ed Polewarczyk, Chair

Judy Colby called the meeting to order at 7:01 p.m.

1. Eric and Angela Dexter, R06-023-B, Acct. #850

Eric Dexter requested an abatement of \$16,500 on the land and \$82,467 on the building. The house has been unoccupied since 2007 and on the market since 2005. It had been listed at \$229,000 for over a year and had not sold; it is currently listed for \$130,000. Dexter said the property was not worth more than \$199,000 and cited recent listings in the area. Sue Varney said that unless the data were incorrect, the value of the property was in line with recent sales in the neighborhood. Dexter verified that the information was correct. Pam Dunning moved to deny the abatement. Vote 3-1-0.

2. Leola and Currie Roberts, R01-005, Acct #903

The Roberts asked for an abatement in the value of the property; they said the property was vacant, had been vandalized and neglected for three years and systems needed updating in order to rent or inhabit the property. Sue Varney said if the data were correct (number of baths, stories, etc.) she saw no reason to change the assessment and did not recommend an abatement. Judy Colby moved to deny the abatement. Vote 4-0-0.

3. Jennifer Micozzi and Michael Rowe, R07-020-A1, Acct. #929

Jennifer Micozzi requested an abatement as the town's assessment was 350% of the purchase price of \$40,000. She cited comparables in Woolwich and West Bath. Sue Varney said that all lots on Cushman Point Road with shallow waterfront had been treated the same and in order to revalue the property, the rest of the properties would have to be revalued. Micozzi asked that the acreage be corrected. Sue Varney said the correct acreage of the property was 2.584 acres and the record had been corrected; she recommended an abatement valued at \$3,800 resulting in a refund of \$61.56 because of the reduction in acreage. Pam Dunning moved to reduce the assessed value to \$3,800 and refund \$61.50. Vote 2-2-0. The motion failed and the owners were told they could appeal the decision to the County Commissioners.

4. Asiah Ismail, U02-014, Acct. #1325

The owner requested a reduction in the assessment \$160,000 and provided a listing agreement for \$130,000. There was no evidence indicating the assessed value was incorrect. Sue Varney did not recommend an abatement be granted. Jeff Slack moved to deny the request. Vote 4-0-0.

5. Norman Sherman, U14-004, Acct #1734

Sue Varney said the mobile home on this property has no water, sewer or electricity and is used as a storage shed. She coded the mobile home as 30% functional and recommended an abatement valued at \$4,200 and a refund of \$68.04. Pam Dunning moved to approve the abatement. Vote 4-0-0.

6. Clark M. Jones, U22-015-001, Acct #1877

Sue Varney said this mobile home is uninhabitable and after inspecting the property she recommended removing the mobile home from the tax records. She recommended an abatement valued at \$500, resulting in a refund of \$8.10 be granted. Jeff Slack moved to approve the abatement of \$400 and refund of \$8.10. Vote 4-0-0.

The meeting adjourned at 7:43 p.m.

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
JUNE 3, 2014

Preliminary Minutes

Tape recorded meeting

Present: Vice Chair Judy Colby, Pam Dunning, Chair Ed Polewarczyk, Jeff Slack and Interim Town Manager Don Gerrish

Absent: Tim Merry

6 p.m.

Public Meeting to discuss the Environmental Assessment Report for the Airport

Erv Deck, Airport Manager, explained the need for the Environmental Assessment report before the Master Plan can be approved. The EA addresses the impacts associated with the removal and lighting of existing obstructions to protected airspace proposed at Wiscasset Municipal Airport. The Master Plan is a 20-year plan for the airport. Approval of the Master Plan by the Town is necessary in order for the Town to receive federal grant money. The Master Plan addresses safety and capacity issues and long term growth. One of the safety issues is the obstruction caused by trees.

Greg Cohen, Senior Environmental Analyst for Stantec, the firm that prepared the Environmental Assessment report, said the draft dealt with potential safety issues, in this case the off-airport trees that are infringing on airspace, which had to be resolved before future development could take place. He presented a series of maps showing the existing conditions, full clearing of obstructions, and partial clearing and obstruction lighting. There are 61 acres of obstruction, 45 of which are on airport property. Easements will be necessary in order to remove trees on adjacent properties, one of which is the Chewonki Campground. Cohen said that in order to reduce impacts on the campground, some trees could be trimmed rather than removed; however, 20 camp sites would be affected by removal of the shade trees. He added that public comments would be added to the draft report and alternatives to minimize the effects were still being explored.

Ed Rancourt, Attorney Jim Hopkinson, Dale Skillin and Pam Brackett spoke in opposition to the plan for clearing of trees on Chewonki property and suggested off-setting the approach or considering other alternatives.

In response to questions from Ed Polewarczyk, Greg Cohen clarified several sections of the draft and will correct an inconsistency. The legal process for obtaining easements which would be required before any tree cutting could take place was explained. An easement on the Chewonki property would require approval of Chewonki before any tree cutting could take place.

Richard Doucette, FAA, said that further federal funding will not be forthcoming if the airspace is not cleared. He said public comments on the Environmental Assessment report will be accepted until July 7, 2014 and will be included in the final report which will be issued shortly thereafter.

1. Call to Order

Chairman Ed Polewarczyk called the meeting to order at 7:30 p.m.

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

3. Approval of Treasurer's Warrant: May 27 and June 3, 2014

Pam Dunning moved to approve the Treasurer's Warrant of May 27, 2014. Vote 4-0-0. Jeff Slack moved to approve the Treasurer's Warrant of June 3, 2014. Vote 4-0-0.

4. Approval of Minutes of May 20, 2014

Judy Colby moved to approve the minutes of May 20, 2014. Vote 4-0-0.

5. Special Presentations or Awards

A. Announcement of Scholarship Recipient for Lawrence B. Haggett Memorial Scholarship: The \$500 scholarship was awarded to Kristen Cavanaugh.

B. Announcement of Scholarship Recipient for General John and Mrs. Jeanette French Scholarship: The \$1000 scholarship was awarded to Nathan Austen.

C. Update from Maine Eastern Railroad on 2014 changes in season: Chuck Jenson, COO of Maine Eastern Railroad, announced the marketing plan aimed at bringing tourists to the Midcoast and the new schedule for the railroad. The railroad will coordinate its schedules of trips from Brunswick to Rockland with the Amtrak arrivals and departures at Brunswick on Friday, Saturday and Sunday. Round trips from Wiscasset to Newcastle/Damariscotta and from Wiscasset to Bath will be offered as well as a special Lobster Festival train to Rockland. Service begins July 4 and will end on October 12. A shuttle bus to Boothbay from Wiscasset is also planned.

6. Appointments – none

7. Public Comment

Jeff Slack noted that this meeting was Ed Polewarczyk's last and thanked him for his work on the board. Judy Colby and Pam Dunning echoed his sentiments. Polewarczyk in turn thanked the members for their work.

Erv Deck thanked the board, department heads and Don Gerrish for their cooperation and Ed Polewarczyk for his leadership.

8. Department Head or Committee Chair Report

A. Airport Master Plan: Chairman Polewarczyk asked for public comment before the board took action on the Airport Master Plan.

Ken Boudin, Chair of the Airport Committee, said the master plan was the focus for the next 20 years and was required by the FAA before additional funding would be made. He said approval of the master plan did not constitute approval of cutting trees.

In response to questions from the board, Erv Deck said the Environmental Assessment report was not part of the Master Plan, adopting the Master Plan did not constitute approval to cut trees, and even if adopted, changes could be made in the plan. He added that Stantec had fulfilled its contract and there were no funds to look at further options, none of which had been found viable.

Judy Colby asked that the Environmental Assessment report be included in the Master Plan and expressed concern that alternatives were not included in the plan. Ed Polewarczyk questioned the rate of growth projections in the plan and asked whether the Master Plan was consistent with the Comprehensive Plan. He said he would like to see an agreement between the town and Chewonki before the Master Plan is approved. Jeff Slack said approval of the plan was just the next step in the process and that the airport layout could not be changed without select board approval.

After comments from individuals in the audience opposing the cutting of trees on the Chewonki property and citing the lack of alternatives addressed in the Master Plan, Ed Polewarczyk moved to approve the Master Plan. The motion failed on a 2-2 vote and will be brought back when five members are present.

9. Unfinished Business – none

10. New Business – none

11. Town Manager's Report

A. Approval of Agreement with Maine Department of Transportation for proposed improvements to Routes 1 and 27 intersection, pedestrian crossing and sidewalk: Don Gerrish outlined the improvements which include crosswalks and traffic lights at the intersection, which will be controlled by sensors. He said the state will install the LED lighting and sensors, and the town will be responsible for maintenance. **Pam Dunning moved to approve the agreement. Vote 4-0-0.**

B. Fourth of July Celebration: Gerrish said the celebration had been coordinated by the staff; the parade will take place at 10 a.m., a concert at the pier will run from 8 p.m. to 10 p.m. with a break at 9 p.m. for the fireworks.

C. Sewer and Water bids: Bids for the Birch Point Road project were opened earlier in the day and are as follows:

Harold Warren	\$1,041,000
Harry Crooker	\$1,413,000

Pam Dunning moved to authorize the Town Manager and Buck Rines to award the bid to the lowest qualified bidder. Vote 4-0-0.

D. Town Manager Search: Don Gerrish said 22 resumés were received and will be considered by the new select board.

12. Adjournment

Pam Dunning moved to adjourn at 9:10 p.m. Vote 4-0-0.

LIQUOR LICENSE-NEW APPLICATION

Business requesting new liquor license: Lighthouse Lobster Shack

Code Enforcement Officer:

Comments: NO ISSUES

Signed: [Signature] Dated: 6-9-2014

Wiscasset Police:

Comments: NO ISSUES OR CONCERNS.

Signed: [Signature] Dated: 06-09-2014

Planning Department:

Comments: None

Signed: [Signature] Dated: 6/9/14

Date application received: 6/6/14

Date advertisement paid: 6/6/14 Date advertisement to run: 6/12/14

Date of required public hearing: 6/17/14

Date public hearing posted: _____

License Approved: _____ Dated: _____

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTINONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)

- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
DOB:		Lighthouse Lobster Shack Inc.	
Kelley Coady	DOB: 8/26/1964		
DOB:		Location (Street Address)	
		506A Old Bush Rd	
Address	5 Willow Ridge	City/Town	Wiscasset State ME Zip Code 04578
		Mailing Address	SAME
City/Town	Boothbay State ME Zip Code 04537	City/Town	State Zip Code
Telephone Number	207 350-9821 Fax Number -	Business Telephone Number	207-882-5015 Fax Number -
Federal I.D. #	46-5270799	Seller Certificate #	1108948

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____ (1st License app)
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

If YES, complete Supplementary Questionnaire

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: R Kelley Coady
8. If business is NEW or under new ownership, indicate starting date: 5/23/14
Requested inspection date: _____ Business hours: 11-8
9. Business records are located at: 5 Willow Ridge, Boothbay Me

10. Is/are applicant(s) citizens of the United States? YES NO
11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Kelley Coady	8/26/64	Boothbay Harbor
Mark Suarez	2/10/64	Pensacola, FL
Robert Hadden	6/23/62	Boothbay Me.
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Boothbay, Me, Southport, Me		

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____
 Offense: _____ Location: _____
 Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
 Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: Maine
Heritage Village, Wiscasset, Me

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
 YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO
 If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20____
 Town/City, State Date

Kelley Coady, Treasurer
 Signature of Applicant or Corporate Officer(s)
Kelley Coady
 Print Name

Please sign in blue ink

 Signature of Applicant or Corporate Officer(s)

 Print Name

NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: _____, Maine _____ SS
City/Town (County)

On: _____

Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
 2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Memo

To: Board of Selectmen
From: Ron Lear, Wiscasset Transfer Station
CC:
Date: June 17, 2014
Re: Lumber Tipping Fees

I would like to propose an increase to .04 per pound for lumber tipping fees at the Transfer Station. Currently, the fee is .01 per pound.

Our cost increased from \$0 to \$35, and raising the tipping fee will cover that increase.

Respectfully Submitted,
Ron Lear.