

WISCASSET BOARD OF SELECTMEN
JUNE 16, 2009

Preliminary Minutes

(Tape recorded meeting)

Present: Bob Blagden, Bill Curtis, Phil DiVece, Pam Dunning, Bob Fairfield and Town Manager Arthur Faucher

1. Call to Order

Town Clerk Christine Wolfe called the meeting to order at 7 p.m..

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

3. Nominations for Chairmanship and Vice Chairmanship of the Wiscasset Board of Selectmen

Phil DiVece nominated Bob Blagden as chairman and he was elected by a vote of 4-0-1 (Blagden abstained).

Pam Dunning nominated Phil DiVece as vice chairman and he was elected by a vote of 4-0-1 (DiVece abstained).

4. Approve minutes of June 2, 2009

Phil DiVece moved to approve the minutes as written. Vote 3-0-2 (Blagden and Dunning abstained).

5. Citizen Comments

In response to Bob Fairfield's inquiry regarding the memorial tree, Bob Blagden said that the board was waiting for further information from Katharine Martin-Savage.

Bill Barnes said he was still waiting to hear to what accounts the 2007 FEMA money had been credited, as he thought it had gone into the wrong accounts. He also said town employees should not be building up comp time. Town Manager Arthur Faucher said that hourly employees are paid time and a half for overtime; salaried employees do occasionally get comp time, but that he has monitored it and there is no abuse.

Steve Mehrl thanked Nicole Viele and David Nichols for the time and effort they had put in on the board.

Don Jones inquired about the curb cuts for a new house on Pleasant Street and was advised by the chairman (and previous road commissioner) that a permit is on file for a second driveway and that Jones should contact Greg Griffin, the new road commissioner.

Steve Mehrl asked when mowing bids would be awarded and mentioned that tree growth is encroaching on the roads.

Ben Rines congratulated the board on its election. He the posting of the last of town warrants was incomplete. It should have a return to the Town Clerk and the list of people who signed it were not identified as selectmen. He said he had been advised that he had won a seat on the Budget Committee by write-in votes, and he accepted on a short-term basis as he had questions on the reserve accounts.

Richard Hanson thanked Nicole Viele and David Nichols and others who ran for the office of selectman and congratulated those who had been elected. He asked whether all town employees who handle money were bonded and was assured that they were. He asked the outcome of the executive session following the last meeting. Bob Blagden read from the minutes the action of the board raising Ron Lear's

salary to \$45,000 for a two-year period. Hanson asked why Lear was given a 4% raise when the rest of the crew did not receive raises. Arthur Faucher said that when Lear was hired he was told he would have a review in six months and there would be an salary adjustment based on a favorable performance. Phil DiVece said he had opposed the increase, which was no reflection on Lear's performance; DiVece would have preferred to wait until November when Lear would have completed a year's employment. He said situations like this should be covered in town policies. Bill Curtis said Lear had made changes at the Transfer Station which had prevented fairly astronomical DEP citations. Hanson said he thought Lear had done a good job, he only questioned the raise as a matter of principle when others had not received increases.

Peter Dalton congratulated the board members on their election. He asked whether the new board would have to reevaluate the vendors on the pier. He said there had been some controversy on the pier, although he did not state what it was, only that people had been taking pictures and the vendors were uneasy. There had been questions regarding the electrical wiring and Bob Blagden said if there were electrical problems, the board should get something in writing from the State. Bob Fairfield said that the board was bound by the approval given by the previous board and it was not necessary for another approval. Bob Blagden asked that the matter be put on the agenda for a future meeting.

James Taylor said that it would be more productive if those with complaints about the waterfront would find a solution and work out problems with the individuals involved.

In response to Bill Barnes request, **Pam Dunning moved that citizens be allowed to comment on agenda items as they are being addressed by the board.** She said that the Citizen Comment item should remain on the agenda. Bill Curtis said that in the past when comments were permitted on all agenda items, the meetings were too lengthy and that was the reason for confining comments to the Citizen Comment item. **Vote 3-2-0 (Fairfield and Curtis opposed).**

6. Kelly Busler: Insurance coverage for Taxi Service

Kelly Busler provided the selectmen with proof of insurance for her proposed taxi service and asked that the town designate a parking space near Treats for her taxi. Her service will operate six days a week from 8 a.m. to 11 p.m. There was discussion on the limited parking available on Maine Street and whether others using the space would be towed or ticketed. Town Planner Jeffrey Hinderliter recommended approval. Bob Blagden moved to allow Kelly Busler to have a taxi service and a taxi stand on Maine Street. Vote 5-0-0.

7. Pine Tree Engineering: The Montsweag Roadhouse Sewer System Project

Stephen DeWick, Pine Tree Engineering, representing Chris Johnson, owner of the Montsweag Roadhouse, asked permission to connect to the Wiscasset sewer system at pump station #14. Buck Rines, Wastewater Treatment Plant Superintendent, said he had asked for the board's approval because the business is out of town. He said it would have no effect on the plant's capacity. The user fee would be the same as others and the anticipated revenue per year would be \$6,000. Impact fee would be \$12,000; construction costs are \$128,000. Maintenance as well as installation would be the user's responsibility. With regard to setting a precedent by providing sewer to others beyond the town line, Rines said that at a cost of \$1 million per mile to extend the sewer, there would not be many requests. The plant is at 48% of capacity; the plant can handle 620,000 per day and is currently at 303,000 gallons.

DeWick said that he would be working with the state on utility location and highway opening, and would have funds in escrow for a year for the pavement. Construction will start after the summer season as obtaining DOT approval and financing will be necessary.

Discussion included the fact that the last two houses before the town line had not been connected to the sewer system, a question on the requirements of the ordinance, the need for engineering plans and requirements of Rines and the DOT, the necessity for a written contract and liability issues. **Bob**

Blagden moved to table the matter until the next meeting. Phil DiVece asked that the town manager be directed to have the town planner investigate the ordinance regarding sewer services and report to the board. **Vote 5-0-0.**

8. Mark Jones: Mechanic's report on the 1991 trash trailer

Mark Jones congratulated the new board. He said the trailer needed extensive repair before it would pass a state inspection. He described the work necessary for repair and said that it would be costly and would constitute a band-aid approach. Estimates for the repair work varied from \$19,000 to \$22,000. Discussion included the advantages of buying a new trailer vs. repairing the present trailer, whether funds for repair would come out of budget vs. a new trailer which would be paid for with reserve funds; whether Alna and Westport Island would contribute after their budgets had already been approved without knowledge of the need to repair or replace the trailer; and whether the purchase should be considered a capital improvement, rather than a budget item. **Bob Blagden moved to table this item until Arthur Faucher weighs in with position of other communities.** In response to Steve Mehrl's request for a time line on requests, Blagden asked for the information by the next meeting. **Vote 5-0-0.**

9. Ron Lear & Board of Selectmen: Opening of the trash trailer bids

Four bids had been requested; three had been returned as follows:

Messer Truck Equipment	\$75,995	0 trade-in
Atlantic Recycling Equipment	52,555	\$3000 trade-in
Hews Co. LLC	61,500	0 trade-in

Bob Blagden moved to table the bids. Vote 5-0-0.

In response to the draft ad for a class 1(A) driver/laborer submitted to the board by Ron Lear, Bob Blagden said the Town Manager had authority to hire and fire and the ad did not need board approval. The position will be advertised inhouse before being placed in the newspapers.

10. Town Manager

- Superintendent's/RSU central office rental fee: The RSU has inquired about leasing the school superintendent's office for the RSU's central office. While board members would prefer to have the office in Wiscasset, no action was taken pending the adoption of an RSU budget, of which Wiscasset would pay 36%. It was also pointed out that the ambulance service is looking for additional space as a third ambulance may be necessary. Roland Abbott, Director of the Ambulance Service, will be invited to the next meeting.
- Second Shore & Harbor Planning Grant award: This grant for \$2,250 has been awarded to Wiscasset to assist with the repositioning of moorings in Wiscasset Harbor. The funds will be used to subsidize the moving of moorings that are now in the navigation channel. The town will contribute 25% of the cost and will have control over the funds. Bob Blagden expressed concern over the liability if moorings are moved too close together. Arthur Faucher said that the town has also applied for a grant to start soliciting designs for reconstruction of the Memorial Pier.
- The Federal energy Regulation Commission (FERC) has issued a preliminary permit to study the use of tidal currents in the Sheepscot River for electrical generation. The preliminary permit will allow applicants to secure data needed for a full license application and to study the feasibility of the project. In addition, the preliminary permit will allow for data collection to determine the total annual production of electricity. The town has three years to submit a full license application.

11. Other Business

Phil DiVece moved that the Board of Selectmen resume weekly meetings on Tuesday at 7 p.m. Arguments in favor of meeting every week were that meetings would be shorter, applicants would not have to wait two weeks for an answer, there would be time for regular financial reports and quarterly

reports from department heads, and the warrants could be reviewed and signed every week in a regular meeting. The Town Manager said it would be difficult to take care of all the items already assigned to him in this evening/s meeting together with his day-to-day duties. Bill Curtis objected, as he had planned other things for the second and fourth Tuesdays. Bob Fairfield objected as he said there was no reason for weekly meetings and the Town Manager could take care of business between meetings. **Vote 3-2-0** (Curtis and Fairfield opposed).

Phil DiVece asked where the fireworks would be located this year and requested that members of the 4th of July Committee attend the next meeting.

Bob Blagden moved to instruct the town Manager to write a policy for the acquisition and usage of comp time, specific to departments. He asked that a draft be ready for the selectmen in two weeks. **Vote 5-0-0.**

Phil DiVece moved to appoint Greg Shea to the Budget Committee, his term to expire in June 2011. Vote 5-0-0.

Paula Gibbs questioned the legality of discussing assignments and compensation for the road commissioner in executive session rather in a public session. The town manager said he had scheduled the executive session because the salary had not been decided and the road commissioner, who was elected, might have a salary request. **Bob Blagden moved to request that the town manager prioritize assignments with the road commissioner and that the compensation stay the same as the existing budget. Vote 5-0-0.**

12. Executive Session

A 9:35 p.m. **Phil DiVece moved to go into executive session under Title 1, Chapter 13, Section 405 (6)(E) for the purpose of discussing the current subject of Maine Yankee's abatement request with Peter L. Murray, Esq. and Sarah A. McDaniel, Esq. of Murray, Plumb & Murray by speakerphone. Vote 5-0-0.**

The board exited executive session at 10:18 p.m. The selectmen asked Susan Varney to have a final discussion regarding the abatement request with Sarah McDaniel before next Tuesday's meeting.

Chairman Bob Blagden moved to go into executive session at 10:20 p.m. for a discussion on a labor contract with the Town Office Support Staff Unit. Vote 5-0-0. The board exited executive session at 10:55 p.m. The selectmen will meet with attorney Linda McGill on Monday, June 22, 2009.

13. Adjourn

Phil DiVece moved to adjourn at 10:55 p.m. Vote 5-0-0.