

WISCASSET BOARD OF SELECTMEN  
JULY 7, 2009

(Tape recorded meeting)

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

1. Call to Order

The chairman 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 June 30, 2009

Item 5, second paragraph was amended to indicate that according to Mr. Lamar, the last time a vehicle crossed the bridge was in 1956. The next to last sentence in the third paragraph was changed to read, "Dunning asked that the town manager work with George Lamar on writing a maintenance agreement for the gate." Phil DiVece moved to approve the minutes of the June 30 meeting as corrected. Vote 4-0-1 (Curtis abstained).

4. Citizen Comment

Prior Morrell asked whether the board had taken any action on contacting the vendor he had recommended regarding the emergency generator. The chairman said no action was being taken at this time as town had voted down funds for replacing the generator.

Town Clerk Christine Wolfe asked for approval of the wording of Question 1 on the September 8 ballot that would authorize the selectmen to spend 3/12 of last year's budget if the highway budget fails to pass a second time. This would be in addition to the 3/12 already approved at the June 9 Annual Town Meeting. The wording had been recommended by MMA. There were no objections to the wording. Wolfe said that the polls needed to be open a minimum of four hours for the second school referendum and she recommended that voting hours be from 12 noon to 8 pm., to which the board agreed.

The chairman asked why voting could not be held at the town office and was advised that the building was not ADA-compliant because there was no handicap bathroom. He also asked that the correct wording for the return be placed on the warrant. The chairman said that the warrant would need to show an amount for the Highway Department budget and a question on the overdraft in the airport account before it could be signed. The town manager said that the amount of the overdraft will be determined by July 14 and will appear as question 3 on the ballot.

Joe Carter said that because the town office does not have ADA-approved bathrooms, the public should not be allowed in the building.

Larry Lomison asked who would be paying for the public transportation to the Riverbank Energy site before the public hearing on July 9. The town manager said Riverbank Energy would be either paying for a private bus or may have contacted the RSU for school bus transportation. Lomison also said that the town ordinances do not cover mineral extraction, blasting, etc. that would occur in connection with this project.

Steve Mehrl said the town should be reimbursed for mineral extraction. He encouraged the public to attend the RSU meeting on July 18 to understand where the money in the budget will be spent.

5. Board of Selectmen

- Bids for municipal mowing services - The following bids were received:

Miscellaneous mowing	Roy Barnes	\$164
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**Bob Blagden moved to accept the bid of \$164 from Roy Barnes for miscellaneous mowing.** The town manager said Barnes' certificate of insurance had been submitted. **Vote 5-0-0.**

Closed landfill site mowing	Roy Barnes	\$469
	William Barnes	450

**Bob Blagden moved to accept the low bid of \$450 from William Barnes. Vote 5-0-0.**

Roadside mowing	Roy Barnes	\$2,649
	William Barnes	2,500

**Bob Blagden moved to accept the low bid of \$2,500 from William Barnes. Vote 5-0-0.**

- Choose Selectmen for union negotiations: Two selectmen are needed for union negotiations for the support staff and Public Works department. **Bob Fairfield moved to appoint Bob Blagden and Pam Dunning.** Bob Blagden said MMA has been contacted and will provide a negotiator, David Barrett, to assist the selectmen. **Vote 4-0-1** (Blagden abstained).

#### 6. Waterfront Committee Update

Matt Corwin, chairman, introduced members of the Waterfront Committee. Corwin presented a written report of the condition of and recommendations for the Ferry Road Landing and Memorial Pier. He also read the current policies for the use of the Main Street Pier.

Corwin said a citizen had contacted the State Electrical Inspector regarding the wiring at the pier. The pier is serviced with two 110 amp connections with two 60 amp breakers and he said if that was inadequate, he expected the inspector would make recommendations. Pam Dunning referred to a letter from the state inspector listing several violations. (A copy of the letter was in the possession of Joe Piccarillo, although the town had not yet received a copy.) Harbormaster Peter Dalton said the items would be addressed when and if needed.

The Waterfront Advisory Committee made recommendations for changes to the current policy, which were presented and read. Discussion included: The possibility of increasing the number of seasonal businesses on the pier to seven; listing the hours of operation; expansion of the types of businesses allowed to include more than food and crafts (allowing the sale of t-shirts was given as an example); limiting the number of food vendors to avoid competition with restaurants in the area; and allowing the committee to specify locations of vendors on the pier. There are currently four vendors on the pier; five permits have been issued, although the fifth vendor does not have a building that meets code. Bryan Buck, Waterfront Committee, said the committee recognizes that the policies need updating, but it would be difficult to do mid-season. He suggested a workshop with the selectmen to revise the policies.

Pam Dunning said the Harbormaster and Waterfront Committee had been invited to the meeting to discuss in public the issues that have been causing unrest and discontent at the pier. She said she had spoken to an electrician about the wiring on the pier and he had estimated it would take \$5,000 to \$6,000 to fix the problem. Greg Curtis, who had done the original wiring to code in 1984, recommended that he, one or two selectmen, and Waterfront Committee members inspect the wiring and decide what is needed. Observations were made regarding the condition of the electrical service and recommendations were made regarding the number of outlets needed. Bob Blagden said a plan is needed for the location of the vendors so boxes can be installed for those sites. Phil DiVece recommended addressing the irregularities in the inspector's letter first, which do not appear to be major. **Pam Dunning moved that the Harbormaster and Waterfront**

**Committee work at removing whatever receptacles are not needed, replace and repair a couple of receptacles that would be adequate for the current vendors, and that the selectmen look into a long-range plan for what we want to do to permanently to repair electrical wiring on the pier.** Greg Curtis estimated it would cost approximately \$100 to do the work described in the motion. **Vote 5-0-0.**

Roy Barnes, referring to a previous statement that trucks would not be able to dump snow from the pier, asked what the town would do with the snow. Bob Blagden said that would have to be worked out because the permit the town had was specific as to where the snow could be dumped.

#### 7. Road Commissioner Greg Griffin: Proposed 2009-2010 Municipal Highway Budget to the Board of Selectmen and Budget Committee

The updated Highway Department budget was distributed to the selectmen. Phil DiVece, noting that nothing was budgeted for snow removal, said that the RSU had not budgeted for snow removal either, to which Bob Blagden replied that it was not the town's problem because the schools no longer belonged to Wiscasset.

Steve Mehrl said that the RSU had budgeted nothing for snow plowing and that throughout the season there had been conversations about the ball fields, sewer, transfer station and plowing. He had been told that verbal agreements had been made between Jay McIntire, former School Superintendent and the town manager.

Arthur Faucher said there were no verbal agreements; there was a written agreement that the schools could use the ball fields and that the community center could use the high school fields, but there was nothing in writing that Wiscasset would plow the schools. He said he had no knowledge of agreements about the transfer station or sewer fees; however, the RSU was advised that they would pay a sewer fee as any other customer would. Bill Curtis asked that a letter to be written to the new superintendent to inform him what Wiscasset would and would not provide.

Judith Colby, Budget Committee, said according to John Merry, there was an agreement between the town manager and the former school superintendent that the town would continue to plow the schools, that there would be no fee for the transfer station, the town would not charge for use of any of the fields and Wiscasset could use the schools at no charge. She said she understood that the town owned only Sherman Park, the tennis courts and the adult education building; the rest of the fields went with the schools. She said the town needed to know exactly what it gave up and what it owned. She asked if the town was obligated to keep the schools plowed in case of fire. Bob Blagden said that in case of fire the town would plow.

Blagden said the \$7,000 budget figure listed in the 2008-2009 budget for snow removal (now to be paid by RSU) would not cover half the cost of plowing because it did not cover the sanding and plowing that the Highway Department did after the contractor was finished.

Phil DiVece said the selectmen had signed off on the transfer of properties because the voters had decided to accept the RSU. He said the RSU would own the superintendent's building, all three schools and the bus garage. Arthur Faucher said the RSU still did not have a budget.

Regarding the Highway Department budget, Bob Blagden noted that it called for the hiring of a new full-time person, which the previous board had refused to do a few months ago when he was Road Commissioner. He said to replace Ron Lear, who had transferred to the Transfer Station, the full time employee budget would have been \$180,000. Blagden asked why the budget figure was now \$189,000. Arthur Faucher said that union scale for the new position was \$12.75, but in order to get someone well qualified would cost more. Bob Blagden said that the town could not pay any more than the union contract specified.

Arthur Faucher said the \$180,000 in the original budget included one employee who would be shared with the Transfer Station. Blagden asked why there were now 1-1/2 hires in the budget. A heated discussion followed regarding the previous board's decision to hire an employee to be shared between the Transfer Station and the Highway Department rather than a replacement for Ron Lear at the Highway Department, its subsequent decision to not hire because of the economy, why there had been two articles on the June warrant (one recommended by the Selectmen and the other by the Budget Committee) when it was the selectmen's responsibility to set the warrant, who had decided on the confusing language in the warrant, and who had decided that a shared employee would now work full time at the Highway Department.

In response to Phil DiVece's question, Greg Griffin said the other figures in the budget were okay; only the personnel and insurance line were being discussed. **Bill Curtis moved that the board agree to \$672,550.80.** Bob Blagden suggested going back to the way it had been for the last five years. He reminded the board that for every new employee hired, there would be a complete benefit package to pay for. Phil DiVece recommended discussing this with the Transfer Station Superintendent because Lear is under the impression that he is getting a full time employee.

Bob Blagden said that hiring a replacement was not done last winter even though there was money in the Highway Department budget. Now, he said, the plan is to hire two to take the place of one, which didn't make any sense, particularly because the economy hasn't improved. If this figure (\$672,550.80) is voted, he said, it is adding 1-1/2 employees. Blagden said he was in favor of just replacing the one employee that had been transferred to the Transfer Station. He added it was necessary to hire a Class 1 driver because there may not be any other available drivers. He said the board could vote any number they wanted; the town manager would decide on staffing.

Arthur Faucher said that voters would vote on an amount, not how it is broken down. The selectmen will have the final say on whether the amount will fund a part-time employee or none. He reminded the board that one condition of Ron Lear's employment was that he obtain a Class 1 license. Bill Curtis recommended that the board not micro-manage the Road Commissioner's budget.

In response to Phil DiVece's question, the Budget Committee chairman said there was a consensus that the figure of \$672,550 would be supported and that there would be only one budget figure on the warrant. **Vote 4-1-0** (Blagden opposed). The chairman said he opposed hiring 1-1/2 men when they weren't needed.

#### 8. Treasurer Jim George: Review of municipal account overdrafts

This matter was discussed under Citizen Comment

#### 9. Town Manager - Municipal building improvements: Door replacement(s), fuel tank sump pump, roof ventilation and roof valley repairs

Arthur Faucher said \$25,000 had been approved for municipal building repairs. He submitted estimates from Wright Pierce for providing design recommendations, associated construction and cost estimates and ultimately bidding and construction administration services as follows: Fuel tank evaluation - \$1,195; Roof venting - \$1,195; Roof valleys - \$1,455; Entry door replacement - \$965.

Pam Dunning asked whether the bids included repair, and when she was advised they did not, she asked why the town should pay someone to collect bids on how to repair a roof valley. She said they should just ask a contractor. The fees quoted by Wright Pierce were almost as much as the repairs would cost, she said.

Arthur Faucher said that town policy requires that these repairs be put out for bid. He said he was not qualified to prepare bids and that this had been discussed during the budget process. Faucher said that this process had not been required for the replacement of the front door because that was a state grant program where specs and application qualifications were given.

Bob Blagden said if the municipal building cannot be used for its intended purpose because of a lack of a handicap bathroom, that should be done first. If a second handicap door is necessary for emergencies, that should take priority over having the other doors repaired.

After discussion it was decided that local contractors be asked for quotes. There would be no bids because specs would not be available. Arthur Faucher said the fuel pump needed replacement at a cost estimated to be \$6,200 and had the highest priority, followed by the roof repairs. An oil company or tank installer should be contacted about the sump pump. Arthur Faucher will advertise for RFPs.

A second ADA access via the doors to the hearing room was discussed. Pam Dunning asked the town manager to determine if one ADA-compliant door was sufficient or whether two were required in order for the building to be used for voting.

#### 10. Other Business

Phil DiVece said the powderhouse roof needs repair and he was advised that there is money in the town building budget for that purpose. He asked that local contractors be asked for quotes. Also mentioned for repair were the steps outside Key Bank. He asked that White's Island bridge be put on a future agenda for discussion.

Dick Hanson was given copies of quitclaim deeds for the school reorganization.

Bill Curtis declined his appointment to the ad hoc investment committee because of time constraints. He will be replaced by Pam Dunning.

**Phil DiVece moved to continue business after 10 p.m. Vote 5-0-0.**

Pam Dunning said she had been contacted by users of Thorndike Road who objected to the gate being locked. **She moved that if a gate is installed, it should be latched but not locked.** She had contacted the Shellfish committee and verified its use. She said she had heard that a "no trespassing" sign had been put up by Mr. Lamar and that should not be allowed on a public way.

Bob Blagden said inasmuch as a public easement exists, having the gate installed without a lock would avoid accusations of blocking a town way and pursuing the matter in court. It was suggested that "paved road ends here" and "dead end road" signs be installed. **Vote 4-1-0.** Blagden asked the town manager to inform Mr. Lamar of the board's vote.

Bob Blagden said that a worker had been hired to mow at the airport for \$10/hr while one part-time permanent employee, who has worked for the town for five years and mows the cemeteries with a push mower, is paid \$8.50/hr. He asked that the inequity be corrected. Pam Dunning said that guidelines should be developed so that all departments would pay at the same rate for the same positions.

Paula Gibbs, editor of Wiscasset Newspaper, asked if a date had been set for a meeting with Edward Jones. Arthur Faucher said when he is advised of a date, he will let her know.

The warrant for the RSU budget was signed by the selectmen.

#### 11. Adjourn

**Bob Fairfield moved to adjourn at 10:15 p.m. Vote 5-0-0.**