

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS & OVERSEERS OF THE POOR
SEPTEMBER 20, 2011

(tape recorded meeting)

Present: Chair Judy Colby, Bill Curtis, Pam Dunning, Vice Chair David Nichols, Ed Polewarczyk and Town Manager Laurie Smith

1. Call to Order

The chair called the meeting to order at 6 p.m.

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

3. 6 p.m. Executive Session

Judy Colby moved to enter executive session pursuant to 1 M.R.S.A. §405(6)(E) - Consultation with legal counsel. Vote 5-0-0.

David Nichols moved to come out of executive session at 6:47 p.m. Judy Colby said the executive session was to discuss the town's rights and duties as they apply to the sidewalks on Federal Street. **Vote 5-0-0.**

4. Approval of Treasurer's Warrant: September 13, 2011 and September 20, 2011

Ed Polewarczyk moved to approve the Treasurer's Warrant of September 13 as presented. Vote 5-0-0. Pam Dunning moved to approve the Treasurer's Warrant of September 20 as presented. Vote 4-1-0.

5. Approval of Minutes: September 6, 2011 and September 13, 2011

Ed Polewarczyk moved to approve the minutes of September 6 as presented. Vote 5-0-0. Ed Polewarczyk moved to approve the minutes of September 13 as amended. Vote 5-0-0.

6. Special Presentations or Awards

A. Sarah's Café Business Recognition Award: Town Manager Laurie Smith read the Sarah's Café Story, a short history of Sarah Heald's business career in the restaurant business. Chair Judy Colby presented the Town of Wiscasset Business Recognition Award, which read, "To Sarah Heald in recognition of 30 years of business with 25 years of service within the Town of Wiscasset as a valuable member of our community and an important economic contributor to Wiscasset's downtown."

7. Appointments - None

8. Public Comment

Constance Schumann asked whether there would be a cost savings if voting were held at the town office, considering the large number of absentee ballots that were received for the June town meeting. Town Clerk Christine Wolfe said that the town office was not handicapped accessible and there was no additional cost to holding the election at the Community Center.

9. Department Head or Committee Chair Report

Ervin Deck with an Airport News Update: Deck said the open house held in August was a success. Donations of \$8,200 were made, the bulk of the donations going to charities. Deck reported on the upcoming 4th Annual Mid-coast Air and Land Family Festival and Air Show on October 1 from 7:30 a.m. to 5 p.m. at the Wiscasset Municipal Airport. It will feature the Texas Flying Legends, the Tuskegee Airmen Red Tail Traveling Exhibit, Young Eagles Rally, CHIPS Child Identification Program and Touch the Trucks. He said the airport has been working with the FAA on safety issues.

10. Unfinished Business

A. Approval of the warrant articles for the November 8, 2011 election

**Judy Colby moved to approve Article 2 of the November 8, 2011 election. Vote 5-0-0.
Judy Colby moved to approve Article 3 of the November 8, 2011 election. Vote 5-0-0.**

B. Sign the warrant for the November 8, 2011 election

Judy Colby read the warrant. **Pam Dunning moved to sign and authorize the attached warrant. Vote 5-0-0.**

C. Set Public Hearing date on the November 8, Warrant Articles

Judy Colby moved that the Board of Selectmen set a Public Hearing on the November 8, 2011 warrant articles for October 6, 2011 at 7 p.m. Vote 5-0-0.

11. New Business

A. Open Winter Sand Bids for 2011-2012 Season

The following bids were received:

<u>3000 cubic yds.</u>	<u>Loaded on Town Truck/cu.yd.</u>	<u>Mileage</u>	<u>Delivered/cu.yd.</u>
Nathan O. Northrop	\$4.50	27	\$11.74
Scott Connors	6.00	11	11.00
Jacobs Excavation, Inc.	6.90	10	11.90
Harry Crooker	7.00	10	11.00

David Nichols moved that the Board of Selectmen authorize the Town Manager and Road Commissioner, Greg Griffin, to award the 2011-2012 Winter Sand Bid to the lowest qualified bidder. Vote 5-0-0.

B. Koehling Property Bid

Laurie Smith said after discussing this property with Sue Varney, Assessors' Agent, and CEO Rick Lang, it appeared from a market standpoint that \$25,000 to \$30,000 would be an appropriate bid; however, there are outstanding taxes, attorney fees, and tipping fees of \$29,260. There was discussion whether the property could be kept on the tax rolls, or if sold to a non-profit organization, that payments in lieu of taxes would be made. **David Nichols moved that the Board of Selectmen authorize the Town Manager to place the Koehling property out to bid with a minimum bid of \$30,000 with the following condition: it must go back on the tax rolls, and if a non-profit is the high bidder, it would have to make yearly payments equal to the taxes. Vote 5-0-0.**

C. Review and Sign Assessors' Return for Tax Commitment

David Nichols moved that the Board of Selectmen approve the Assessors' Return as submitted. In response to Ed Polewarczyk question on the valuation, Laurie Smith explained there are differences in the valuations; the town's taxable valuation differs from the state's because the state's valuation includes the reimbursements to the town. **Vote 5-0-0.**

D. Discuss mandatory recycling ordinance and the proposed policy for Commercial Waste Haulers

Bill Curtis expressed concern that adequate training on mandatory recycling had not taken place and that a formal presentation to the public should be held on a Saturday or in the evening.

Smith said that she and Ron Lear, Transfer Station Manager, had worked on the administration of the recycling ordinance. The goal is to increase recycling rates and decrease tipping fee costs. For recycling, the town pays \$5 per ton and for waste, \$72-73 per ton. With recycling, the town receives revenues from the sale of metal and cardboard and the tipping fee costs decrease. Beginning October 1, the penalty for not recycling is \$2 per bag.

Ron Lear said 1200 to 1300 flyers had been handed out. He said it was the same single stream recycling that has been used in the past.

An F.A.Q sheet has been developed reminding that this is not a pay-per-bag system. Warnings will be given for the first violation. A 30-gallon bag or the equivalent will be considered a bag for the purpose of the penalty. The goal is to increase recycling to 60% to 80% of the waste, but 25% is expected, or one out of every four bags.

In response to concerns from the public, Ron Lear said the goal was to have people make an attempt to recycle, and there will be a sticker system to identify those people who come monthly.

Regarding the commercial haulers, Smith said penalties would be assessed to whoever brings the trash to the Transfer Station. Packer trucks can be used for single stream recycling; however, the town does not have the facilities to accept packer truck dumping. The packer trucks can drive to West Bath and drop the recyclables there and the town would pay the tipping fees.

Smith said it would be necessary to calculate a per-bag penalty for the mix of Giles' customers and this will be reviewed on a quarterly basis.

Pam Dunning moved that the Board approve the process that the Town Manager and Department Head of the Wiscasset Transfer Station have put in place to implement the ordinance on recycling. Vote 4-1-0.

E. Discussion of Maine Department of Transportation selection of Wiscasset's Recreational Pier for submission to the U.S. Fish and Wildlife Service's Boating Infrastructure Grant (BIG) program. The grant is in the amount of \$100,000 with a local match of \$33,333.33 for a total maximum amount of \$133,333.33 (75% BIG, 25% local)

Smith said the town did not receive the SHIP grant but the Maine Department of Transportation has selected Wiscasset's Recreational Pier for submission to the U.S. Fish and Wildlife Service's Boating Infrastructure Grant (BIG). The town's match of \$33,333.33 will be funded from \$23,000 remaining in the waterfront fund and \$10,000 from the Capital Improvement Reserve fund in the next budget cycle. The grant will fund work on framing the pier, decking, a railing, improved electrical and water service and replacement of dolphins and fender pilings. **Judy Colby moved to move forward with the grant application and request the 25% match from the Town at a future election. Vote 5-0-0.**

F. Discussion on Federal Street sidewalks

The Town Manager said the board met in executive session earlier on the Federal Street sidewalks. **Pam Dunning moved that the board authorize the Town Manager to set up a meeting with the Water District Trustees at the Middle School to walk the site. Vote 5-0-0.**

G. Discussion regarding fireworks ordinance

Smith said, in response to a question raised at the public hearing on September 13, the attorney had advised against an ordinance allowing the selectmen to deal with the permitting of the sale or discharge of fireworks. As far as timing is concerned, an ordinance would have to be completed by the end of October in order to be voted on before the end of the year when the state ordinance takes effect. She and CEO Rick Lang will work on an ordinance and if time allows, the ORC will review the draft.

Bill Curtis asked why the board was in a hurry to get an ordinance ready. He said he had asked the Fire Chief to request ordinances from New Hampshire and Massachusetts. He added that the board members would first have to decide whether they were in favor of permitting sale and discharge of fireworks. He also recommended that the fire and police chiefs be involved in the process.

Smith said if the town did not have an ordinance, the sale and discharge of fireworks would be permitted under state law. There was a consensus that the town manager should proceed with an ordinance dealing with permits for the sale and discharge of fireworks. Bill Curtis opposed.

H. Appointment of Clifford Hendricks to the Budget Committee

Pam Dunning moved to appoint Clifford Hendricks to the Budget Committee, term to expire June 12, 2012. Vote 5-0-0.

I. Appointment of member of Planning Board to the Ordinance Review Committee

David Nichols moved to request the Town Manager to forward a letter to the Planning Board requesting they delegate a third member to the Ordinance Review Committee. The ordinance requires that three members of the Planning Board be members of the Ordinance Review Committee and at present, there are only two planning board members on the ORC. **Vote 5-0-0.**

J. Constitution Week proclamations

The Daughters of the American Revolution have requested Wiscasset to proclaim this Constitution Week. **David Nichols moved to authorize Proclamations designating September 17 through September 23 as "Constitution Week" in the Town of Wiscasset. Vote 5-0-0.**

12. Town Manager's Report

A. Town Common Update: In response to requests to improve the appearance of the town common, and clearing a visual corridor toward the church and courthouse, the Town Appearance Committee met with a group of concerned neighbors near the common and decided that the hemlocks behind the war memorial, the yew at the bottom of the town common and the yew across the street near the Ledges would be removed. The Christmas tree has not been pruned over the years and because of its height, it is difficult to trim. There was a consensus that the Christmas tree be replaced and the Appearance Committee will be so informed.

B. Community for Maine's Future Grant: Smith reported that the town's application for \$350,000 to fund the train station project was not accepted; however, Wiscasset's application is next in line in the event one of the 11 projects, which were accepted, is not able to accept the grant.

C. General Update: The County Commissioners have asked that the board meet with them on the tax abatement for Dorothy Holbrook on October 4; however, that date has been extended to November 1 at 11 a.m. **Pam Dunning moved that the Board of Selectmen sign the letter for extension of the tax abatement hearing for Dorothy Holbrook. Vote 5-0-0.**

Smith reported that she has been called to jury duty. She will appear on October 11 and has blocked out the following two weeks.

13. Other Board Business - None

14. Adjournment

At 8:37 p.m., **David Nichols moved to adjourn. Vote 5-0-0.**