

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
APRIL 3, 2012

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

Chair Judy Colby called the meeting to order at 7:02 p.m.

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

3. Approval of Treasurer's Warrant: March 27, 2012 and April 3, 2012

**Pam Dunning moved to approve the Treasurer's Warrant of March 27, 2012. Vote 5-0-0.
Pam Dunning moved to approve the Treasurer's Warrant of April 3, 2012. Vote 5-0-0.**

4. Approval of Minutes: March 19, 2012 and March 20, 2012

Judy Colby moved to approve the minutes of March 19, 2012. Vote 3-0-2. Ed Polewarczyk moved to approve the minutes of March 20, 2012 as amended. Vote 5-0-0.

5. Special Presentations or Awards

A. Sharon Nichols to present information sheet for voters

Sharon Nichols addressed the confusion over the June 2012 warrant article on forming a committee to begin the withdrawal process from RSU 12, caused in part by the non-binding referendum in November 2011 and by the mandate itself, which is complicated and misleading. She said residents are concerned about having adequate information to make an informed decision on the warrant article to be voted on in June and should understand that a vote in favor of the article does not mean that Wiscasset has decided to withdraw from the RSU. It means that a committee will be appointed to begin the withdrawal process. Because of the future impact of the vote, she said WERP had prepared an information sheet and asked that the Board of Selectmen pay for a direct mailing to be sent on the first of May to all residents.

Pam Dunning said that articles in the newspapers would be more effective than a bulk mailing.

Ed Polewarczyk said in talking with residents he found that they understood what the article means -- that the town is beginning the withdrawal process. He said he would like other questions answered on the information sheet such as the potential tax increase or change. He further said that it should be clarified that the committee to be formed will have 90 days to negotiate an agreement to withdraw from the RSU.

Bill Curtis said he had explained to residents that the wording, although confusing, was required by law and no answers about costs would be forthcoming until after the article is passed, the committee is formed, and their work is completed.

Pam Dunning recommended that an easy to read time line with bulleted actions be included in the information

It was the consensus that a selectman, WERP representative and resident work on the information sheet (letter) which would include a time line, and which would be brought back for approval by the selectmen. It was suggested that the letter be included with absentee ballots and

available at the polls. The cost to send the letter to each property in Wiscasset would be approximately \$500.

B. Peter Arnold to present update on Tidal Power Project

Arnold, as project manager for Wiscasset on the Tidal Power Project, said following the study on the six most promising locations for potential tidal power in the study area, the study of the most promising site identified by the first study revealed that the current velocities were not high enough to make electricity. Studies performed during the test period on endangered species, sturgeon and salmon, produced good data that will be published as will a study that documents the opinion of residents and governmental officials of Wiscasset about a potential tidal power installation in the Sheepscot River. The information gained will be presented at Ocean Energy 2012 conference in Boston

He recommended that Wiscasset not apply, for either an extension of the FERC Preliminary Permit or the next level of licensure, a Pilot License. He suggested that the information about a tidal source might be useful to the town or may interest other companies as the capabilities of hydrokinetic equipment improves. Within the last two weeks, Arnold was approached by a local company called Blue Power Dynamics which has a relationship with a British company called Soil Machine Dynamics. The former is interested in developing a new generation of machinery that can make tidal power at lower velocities and plans to build its plant in Boothbay. Because SMD is looking for a place to test its equipment, Arnold recommended it apply for the permit and that the town consider supporting its application. Arnold also said that SMD is connected with a Norwegian company, Statoil, which has applied for a permit for an offshore wind farm in federal waters near Wiscasset. SMD builds and runs equipment that trenches power lines and could conceivably be the company bringing power to Maine Yankee power lines. **Pam Dunning moved to let the permit lapse and send a note to Blue Power Dynamics. Vote 5-0-0.**

6: Appointments - None

7. Public Comment

Doug Smith, WERP Chairman, confirmed a rumor that the Superintendent of RSU 12 has resigned following the resignation six months ago of the Assistant Superintendent. RSU 12 has a budget shortfall of \$3 million, Wiscasset's share is \$900,000. Smith said RSU 12 has discussed closing the Wiscasset primary School without consideration of the four conditions under which a closing may occur as required by state law or the voters' approval. He added that the RSU was aware of the 2007-2008 report in which the consultants recommended that the middle school be closed. Smith said the middle school was not large enough and structural changes would be necessary for a K-8 school. In response to Bill Curtis' question, Smith said that the architect who conducted in the study in 2008 had estimated repairs to the middle school would cost \$3 million.

George Green expressed concern with the future of the town. He commented on the number of properties for sale on Route 1, houses for sale on Federal Street and declining real estate values. He urged the board to determine what actions should be taken to attract buyers and preserve the town.

Greg Wood asked for financial assistance from the town to send a group of students to the Odyssey of the Mind international competition at Iowa State University at the end of May. Wiscasset Middle School students competed and came in second among 119 teams from Maine. Fifty thousand students from the United States and 27 foreign countries will compete in Iowa. He estimated it would cost \$11,000 to send five students, one coach and two chaperones to the competition. The students are attempting to raise money but more will be needed. There was a consensus that the town manager be directed to look for available funding and report at the next meeting.

8. Department Head or Committee Chair Report

A. Sue Varney - TIF Correction

Sue Varney asked for the board to approve forwarding the corrected document to the state. She said as a result of the correction, the state valuation would be \$1,126,361 less. **Judy Colby moved to authorize Susan Varney to submit the documentation as attached to Maine State Revenue Service. Vote 5-0-0.**

9. Unfinished Business - None

10. New Business

A. Contract between the Town of Wiscasset and CMP regarding Montsweag Dam

Attorney Dennis Jumper explained the three documents required for the town to take possession of the dam: the agreement, the declaration and the deed. The agreement calls for a closing date of December 1, 2012 and the transfer of \$100,000 from CMP to the town for stewardship and monetary obligations. The agreement is contingent up voter approval on or before July 1, 2012 and on the selectboard's satisfaction with the results of inspections of the dam and title. The declaration allows the town to keep the dam and flooding rights as well as to develop walking bridges, pedestrian bridges and a small parking lot but prohibits ATVs or dirt bikes. There are other stipulations if the town removes the dam, or if CMP needs the water level lowered to work on its equipment. Under the agreement, the town cannot use its ownership of the dam as a basis to object to CMP actions on abutting land.

In response to David Nichols' question, Jumper said that Woolwich was not included in the agreement because Wiscasset would own land on both sides of the dam, including that portion within the town of Woolwich.

CEO Rick Lang reported that the MEMA inspector, Tony Fletcher, would be sending a report to the town on the condition and recommendations for maintenance of the dam.

Ed Polewarczyk asked to meet with Dennis Jumper and Laurie Smith on questions he had on the documents. Any changes will be brought to the board at the next meeting and a vote to place the question on the warrant will then be taken.

B. Article I Ordinance changes for inconsistencies with State law and Town Ordinances

At the Town Manager's request, Attorney Dennis Jumper had reviewed Article I to see if there were inconsistencies with state law or other town ordinances and he had made minor revisions. He said with regard to certain actions of the CEO being appealed, changes had been made to comply with state law. **Judy Colby moved to place the amendments on the June warrant.** Pam Dunning recommended that the number of members on the Budget Committee be reconsidered, as it was hard to find nine members and that number made it difficult to obtain a quorum. She recommended a five-person board. Constance Schumann suggested that meetings with the committees be held before making any changes to the ordinance. She also cautioned the board on dealing with CMP which is now owned by a Spanish company. Laurie Smith said additional changes could be made and if necessary the ordinances could be put on the ballot in November. **Vote 5-0-0.**

C. Open 2011 Town Report Bid

The following bids were submitted:

| | |
|---------------------------|------------|
| Lincoln County Publishing | \$3,182.00 |
|---------------------------|------------|

Walch Publishing

\$2,156.00

David Nichols moved to authorize the Town Manager to award the bid to the lowest qualified bidder. Vote 5-0-0

D. Open Cupola Bid

The following bids were submitted:

| | |
|-------------------------|--|
| Ed Gould Builder | \$4,200.00 to remove and save cupola or for removal only |
| Chesterfield Associates | \$4,650.00 to remove and save cupola or for removal only |

Following discussion on whether to keep the cupola, **Pam Dunning moved to remove and discard the cupola and to authorize the Town Manager to award the bid to the lowest qualified bidder. Vote 5-0-0.**

11. Town Manager's Report

A. Harbormaster Boat: Smith said the Harbormaster's boat is being put in the water for the season.

B. Koehling Property: The bidders have requested to terminate the contract with the town because of concerns about DEP requirements for the soil management plan. Smith said staff would be willing to review the requirements, costs and possible reduction in purchase price with the bidders. Bill Curtis recommended contacting environmental attorney Sarah McDaniel for her opinion. Smith said the risk for the buyer is that even if the property meets DEP regulations, the DEP remains involved.

D. Time Warner: A letter had been received from Time Warner regarding a new franchise agreement; the current agreement expires in 2013.

E. Updated Budget Schedule: The updated schedule had been distributed.

F. Old Bath Box Lot: Smith asked what minimum bid the Board would accept on this 30-acre property which is assessed at \$35,000. The lot is 5000 feet from Route 27 and there is no power to the property. There is also access from Dorr Road. An abutter had expressed interest in the land which was tax-acquired by the town in 1952. Sue Varney had suggested a \$20,000 minimum bid. **Judy Colby moved to put the property out to bid with no minimum. Vote 5-0-0.**

G. Spaulding Property: Smith said taxes on the Spaulding property had been paid in full. **Ed Polewarczyk moved to sign the release deed for the Spaulding property. Vote 5-0-0.**

H. Draft Warrant: Smith asked the board to consider whether a shorter warrant would be used this year. The previous year's warrant was 12 pages, which required the rental of an additional ballot box at a cost of \$1600.

12. Other Business - none

13. Adjournment

At 9:25 p.m., **Pam Dunning moved to adjourn. Vote 5-0-0.**