

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
MAY 15, 2012

Tape recorded meeting

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

1. 6 p.m. Call to Order

Judy Colby called the meeting to order at 6 p.m.

2. Executive Session: Personnel

Judy Colby moved that the Board of Selectmen go into executive session pursuant to 1 M.R.S.A. §405(6)(A) to discuss personnel issues. Vote 5-0-0. Judy Colby moved to exit executive session at 6:45 p.m. Vote 5-0-0. The board recessed for 15 minutes.

3. 7 p.m. resume regularly scheduled meeting

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

5. Approval of Treasurer's Warrant: May 8, 2012 and May 15, 2012

Ed Polewarczyk moved to approve the warrant for May 8, 2012. Vote 5-0-0.

Ed Polewarczyk moved to amend the warrant for May 15, 2012 by changing the Penobscot Energy amount from \$3,655.12 to \$3,655.11. Vote 5-0-0. Pam Dunning moved to approve the May 15, 2012 warrant. Vote 4-1-0.

6. Approval of Minutes: May 1, 2012

Ed Polewarczyk moved to approve the minutes of May 1, 2012. Vote 5-0-0.

7. Special Presentations or Awards

A. Town Report Dedication

Judy Colby announced that the Town Report was dedicated to Robert Fairfield and the late Arthur V. Reed. David Nichols recounted Bob Fairfield's history and the many contributions he had made to the town. Judy Colby spoke of Arthur Reed's many years as Supervisor of the Wastewater Treatment Plan, his participation in community affairs, and his description as "fixer of everyone's lawnmowers and snow blowers in the Town of Wiscasset."

B. Discussion of Bruce Flaherty Award - Katherine Martin-Savage

Katherine Martin-Savage asked the board to consider nominating the 40 volunteers at the Two Bridges Regional Jail for the Bruce Flaherty Spirit of America Award. The volunteers provide a number of services and educational courses at the jail. Nominations are due later in the summer.

8. Appointments

A. Appoint Christine Wolfe as Warden for the June 12 Annual Election

Ed Polewarczyk moved to appoint Christine Wolfe as Warden. Vote 5-0-0.

9. Public Comment

Sharon Nichols said WERP had developed an information sheet to explain the warrant article dealing with withdrawal from RSU 12. Copies are available at Ames Tru-Value, Clipper Mart, Quick Stop and the Community Center or by contacting douglasdsmith@roadrunner.com.

Prior Morrell repeated his request for a grab rod by the post office, which he said was needed because of the slippery sidewalk. He said he had spoken to the Code Enforcement Officer and nothing had been done. Laurie Smith said the Public Works Department, not the CEO, was responsible for replacing railings on sidewalks. The post office is responsible for its railing, but she had been informed there are no funds for its repair. Pam Dunning suggested that Public Works look at any heavily used public buildings in the downtown area on a grade that have brick sidewalks where a railing might be necessary and there was a consensus that this be done.

10. Department Head or Committee Chair Report - None

11. Unfinished Business

A. Koehling Property Update

Smith said the bidders on the property had withdrawn their bid because of concerns about environmental issues. The DEP recommends various measures if the property is to be developed such as including a vapor barrier if buildings were to be constructed on the site, a soil management plan for identification, proper management and disposal of petroleum-impacted soils and an environmental covenant recorded on the property deed prohibiting wells and notifying future owners of the presence of petroleum-impacted soils, groundwater and soil gas.

The DEP also recommends that the future owner participate in the Voluntary Response Action Program, VRAP, which would confirm that the site had been cleaned up, and the DEP would take no further action. Smith said the town's options were 1) to continue to sell the property as is with the buyer being responsible for the VRAP program, for the covenants and for submitting a management plan; 2) to have the town submit an application for a VRAP program and be responsible for the covenants and management plan: cost \$1,200 (DEP would waive some additional fees); or 3) to dig up the foundation and do further investigation. If contamination were found, the Town could apply for a Brownfields grant.

Pam Dunning said steps 2 and 3 could assure a prospective buyer that the property was shovel-ready and the buyer would not be responsible if further contamination were found. The board expressed concern over the possible cost without assurance that the property would be sold, and that the town would be remiss in not finding out if the site had further contamination. Bill Curtis recommended that an opinion be sought from Environmental Attorney Peter Murray. Smith said two other parties had approached the Town and she asked the board if it would entertain other offers. **Pam Dunning moved that the Board of Selectmen move forward in participating in the VRAP program, doing a spot check of the soil around the foundation and preparing a soil management plan. Vote 3-2-0. Judy Colby moved to direct the Town Manager to get a quote from Peter Murray to look into this. Vote 5-0-0.**

B. Discuss Hot Water Heater bids

Smith said the water heater for the Police, Fire and EMS departments has been deteriorating and the water was rusty and discolored. Three quotes for replacement of the heater had been received and Smith recommended accepting the low quote of \$2,640.15. **Judy Colby moved to award the bid to David Sawyer for \$2,640.15. Vote 5-0-0.**

12. New Business

A. Commercial Waste Hauler applications

Judy Colby moved to approve the Commercial Waste Hauler applications as submitted. Vote 5-0-0.

B. 911 Road Names

Susan Varney reported that she had notified owners that their driveways required names and had received a positive response from most. She asked that the following names be approved: Albee Lane, Half Penny Lane, Line Drive, Mosey Oaks Drive, Orchard Way, Pear Hollow, Tyler Road and Hidden Pasture Lane. The Town will install the initial signs and replacements will be the responsibility of the property owners. The list will be given to the Police, Fire, Ambulance and County Dispatch. **Judy Colby moved to approve the 911 road names as submitted. Vote 5-0-0.**

C. Homestead Exemption Form

Varney said the annual exemption form submitted to the state listed 988 exemptions; corresponding valuation is \$9,870,000. Fifty-five new applications were processed. **Judy Colby moved to sign the Homestead Exemption Form as submitted. Vote 5-0-0.**

D. Discuss Montsweag Dam access

Smith said acceptance of the Montsweag Dam would be on the June ballot. A state official had inspected the dam and he confirmed that the concrete portion of the dam was in good shape, but the buildup of trees and brush had compacted on the embankments on either side of the dam and needed to be removed. Attorney Dennis Jumper said the deed from CMP would include the two rights of way, wherever they may be, on the Wiscasset side of the dam and in the event the use of the rights of way was impractical, CMP agreed to work constructively to locate other access through CMP property.

Smith said that when the issue of maintaining the embankments came up, access for heavy equipment from the Woolwich side became a problem. There are rights of way but they have not been laid out and it will be necessary to work with the property owners. In response to Judy Colby's question on the cost to get equipment to the westerly side of the dam, Jumper said that CMP would be providing \$100,000 for maintenance. Smith said the state was not likely to inspect the dam, but the insurance company may require inspections in the event of a possible washout and flooding downstream. She said no action was required by the board at this time.

E. Misty Gorski to discuss Economic Development Committee

Gorski asked if the board had an interest in the formation of an economic development committee. Its role could range from reviewing and recommending policy actions at the municipal level to assisting with marketing, business attraction or business retention. She said members with specific backgrounds, skills and experience could assist the Town Planner in achieving the selectboard's economic development goals. If there were interest, she would present a detailed proposal to the selectmen for enactment and appointment of members who had the necessary expertise. Board members suggested that a proposal should target specific industries and land use, and the committee should be structured with a mission statement, goals and responsibilities. There was a consensus that Gorski should proceed with developing a proposal.

F. ORC Recommendation of Adult Entertainment Ordinance

Gorski said the ORC had asked what parameters the Selectboard would set regarding an adult entertainment ordinance. Should adult entertainment be restricted, and if so, what specific activities should be prohibited, where in town should it be allowed, how far from schools or

churches, hours of operation, signage, etc.? Pam Dunning said it should not be downtown or in the historic district, but it could be in the commercial district with good screening, buffering, and discreet signage. Because there were many questions to consider, **Pam Dunning moved to hold an open town meeting to vote on a moratorium on adult entertainment in the Town of Wiscasset. Vote 5-0-0.** A warrant will be brought to the board in June for the special town meeting.

G. Discuss Legislative Policy Committee Nomination

Nominations are due by June 14. **Judy Colby nominated Pam Dunning. Vote 5-0-0.**

13. Town Manager's Report

The safety audit will take place on June 4.

The county assessment was distributed as part of the agenda package.

The 4th of July theme this year is Small Town Traditions. The celebration will include a parade, car show, games and activities, music by the Generics and fireworks. The 4th of July committee meets on Fridays at 8:30 a.m. and new members are welcome.

On Tuesday, May 22, at 7 p.m., a public hearing will be held on the warrant and the RSU withdrawal question. The board will meet at 6:45 p.m. to award the catch basin and road striping bids.

14. Other Board Business - None

15. Adjournment

At 8:50, **Pam Dunning moved to adjourn. Vote 5-0-0.**

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