

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
June 19, 2012

Present: Judy Colby, Bill Curtis, Pam Dunning, Ed Polewarczyk, Jeff Slack and Town Manager Laurie Smith

1. 7 p.m. Town Clerk will call the meeting 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 of America

3. Nomination for Chair of the Board of Selectmen

Bill Curtis nominated Pam Dunning for Chair. There were no other nominations. **Vote 5-0-0.**

4. Nomination for Vice Chair of the Board of Selectmen

Jeff Slack nominated Ed Polewarczyk for Vice Chair. There were no other nominations. **Vote 4-0-1.**

5. 7 p.m. Public Hearing: Discuss and adopt new MMA's General Assistance Ordinances

The public hearing was opened at 7:02. Lisa Garman, Executive Assistant, presented to the selectmen for adoption MMA's new (July 1, 2012 through June 30, 2013) General Assistance Appendix A. Under the new ordinance, food maximums are reduced from \$75 to \$68 per month for each additional family member over eight; overall maximums for Lincoln County were reduced 10%; and housing assistance is limited to nine months. There were no comments or questions and the public hearing closed at 7:08 p.m.

Ed Polewarczyk moved to adopt MMA's new (July 1, 2012 - June 30, 2013) General Assistance Ordinance Appendix A, reducing the overall maximums, and nine-month housing limit. Vote 5-0-0.

6. Approval of Treasurer's Warrant: June 12, 2012 and June 19, 2012

Ed Polewarczyk moved to approve the Treasurer's warrant of June 12, 2012. Vote 5-0-0.
Judy Colby moved to approve the Treasurer's warrant of June 19, 2012. Vote 4-1-0.

7. Approval of Minutes: June 5, 2012 and Abatement Minutes of June 6, 2012

Ed Polewarczyk moved to approve the minutes of June 5, 2012 as amended. Vote 4-0-1.
Ed Polewarczyk moved to approve the abatement minutes of June 6, 2012 as amended. Vote 4-0-1.

8. Special Presentations or Awards - none

9. Appointments - none

10. Public Comment on Non-agenda Items

Patsy Messier asked the selectmen to join with other communities in encouraging congress to overturn the Citizen United decision in order to remove corporate dollars from politics.

Doug Smith said the Portland Press Herald had reported that morning that Wiscasset High School was #1 (worst) in dropout rate at 11.5% and in graduation rate at 61%, 15 points lower than the previous year. The state graduation rate is 83%.

Sharon Nichols said she hoped that, in selecting the withdrawal committee, the selectmen would be open to the benefits, educationally and financially, of withdrawal. She asked that Judy Colby, as an employee of the RSU, and Ed Polewarczyk, who had given a presentation and written to the editor with his views, recuse themselves because of conflict of interest and bias respectively.

Dick Grondin said he did not see that Ed Polewarczyk had any conflict of interest. He had done his homework whereas WERP had not reported what impact withdrawal had on taxes. He said Doug Smith should be eliminated from the committee because of bias.

12. Unfinished Business

A. Discussion: Request by Morris Farm to graze on the Town-owned Superintendent's lot on Gardiner Road: No one from Morris Farm was present. There was a consensus that because the town had voted to sell the property, the board would not make a decision on allowing cattle to graze on the property until it was decided how much land would be included with a sale. It was suggested that if Morris Farm is allowed to graze cows on the land, others might want to graze their animals on the land; the town's liability was also an issue.

13. New Business

A. Sign H. M. Payson's Certificate of Authority: **Ed Polewarczyk moved to authorize the Town Treasurer, Shari Fredette, to act on behalf of the Town for transactions with H. M. Payson & Co. Vote 5-0-0.**

B. Stating the reasons why the Town seeks to withdraw from the RSU: The State statute states that, in the petition for withdrawal, the municipal officers must state the reasons the municipality seeks to withdraw from the regional school unit. **Ed Polewarczyk moved that the Selectmen submit the following reasons why the Town seeks withdrawal from the RSU 12 in accordance with Title 20-A, Section 1466(3): Decisions made by the RSU have been contrary to the interests of Wiscasset; loss of local control; the RSU budget validation process is meaningless when voters oppose items on the ballot but are still required to pay; the geographical design makes it inconvenient and sometimes impossible to attend board and budget meetings 70 miles away; and the fairness of cost allocation is in question. Vote 5-0-0.**

Laurie Smith said that after the board submits the letter to the commissioner, it has thirty days to appoint the withdrawal committee. Methods of recruiting a citizen member were discussed. Ed Polewarczyk and Judy Colby said they would not be on the withdrawal committee but would participate in the selection of the committee members at a board workshop. After discussion, **Ed Polewarczyk moved to advertise for the citizen member of the committee. Vote 5-0-0.**

C. Volunteer application process: **Ed Polewarczyk moved that the Selectmen appoint Judy Colby and Jeff Slack as a committee volunteer screening subcommittee. Vote 5-0-0.**

Ed Polewarczyk moved to take up item 15B, executive session, next. Vote 5-0-0.

15 B. Executive Session - Economic Development

Ed Polewarczyk moved that the Board of Selectmen go into executive session pursuant to 1 M.R.S.A. §405(6)(C) to discuss economic development and Point East. Vote 5-0-0.

Judy Colby moved to come out of executive session at 9:01 p.m. Vote 5-0-0.

14. Town Manager's Report

A. Bituminous Paving Bid: The bid was awarded to Marriners, Inc.

B. Harbormaster Position: The current harbormaster has resigned. A selection has been made from the candidates interviewed. Smith explained that the Port and Harbor ordinance enacted in March 1999 gives the responsibility for appointing a harbormaster to the selectmen; however, in March 2001 the town enacted the statutory town manager plan that gives the town manager authority to appoint all town officials whom the municipal officers are required by law to appoint. **Judy Colby moved that the selectmen agree with the legal decision and the town manager will appoint the harbormaster. Vote 5-0-0.**

Smith asked the board to approve a three-party agreement with the State and the Lincoln County Regional Planning Commission for the Route 1 Master Plan. Funding will be from the State through LCRPC. The scope of work will be advertised and a consultant will be chosen.

Ed Polewarczyk moved to sign the State of Maine Department of Transportation Cooperative Agreement for the Route 1 Master Plan. Vote 5-0-0.

The Bank of Maine will auction the Wiscasset Raceway property on July 12. Two years of back taxes on the property are owed.

Smith asked the selectmen for direction on oil bids, whether to go with the county or to go out for bids, and if so when. **Judy Colby moved to authorize the Town Manager to negotiate bids on fuel oil. Vote 5-0-0.**

With regard to capital improvements, Smith reported that she is working on the bid for the ambulance remount and the police vehicle. The price of the cardiac monitors, which were approved as part of the capital improvement warrant article, increased on June 1. Physiocontrol will give the town an additional trade-in value and a discount; however, the monthly payment will rise from \$1000 to \$1063, an annual increase of \$756, which will come from the EMS budget if necessary. **Judy Colby moved to authorize the Town Manager to enter into a contract for cardiac monitors as of July 1. Vote 5-0-0.**

The voters approved the warrant article allowing the town to spend 3/12 of the previous year's budget for items that did not pass, and Smith said that the articles that failed would have to be brought forward for another vote before the selectmen go to commitment in September.

Funding for LCTV, which was voted down, is more than covered by franchise fees Time Warner pays to the town; however, it appeared the voters were not aware of this and turned down funding for the station. The town's goal is to televise all meetings, which will be impossible if LCTV cuts service to Wiscasset. **Judy Colby moved to set the amount asked for LCTV at \$5,000 on the next warrant. Vote 5-0-0.**

The \$60,000 for contingencies, which was turned down by the voters, would have covered unexpected legal fees in addition to any raises negotiated with the unions, among other items. Passing the contingency line item would avoid the selectmen having to go back to the voters for additional funds and possibly a supplemental tax bill. **Ed Polewarczyk moved to ask the voters for \$50,000 for contingency. Vote 5-0-0.**

The Code Enforcement budget was turned down, which will mean there is no money for code enforcement activities such as building permits or plumbing inspections. The planner cannot cover both her and the CEO's job as some have suggested. Smith said the State requires a CEO and Plumbing Inspector and if the town has to hire someone on an individual basis, it will be more costly than employing the CEO. The CEO is a union position so any major change in hours or

pay would have to be negotiated. It was suggested that the CEO's hours be cut from 32 to 28. Smith will bring a recommendation to the board at a future meeting.

The Budget Committee will meet on Thursday, June 21 to elect a chair. Cliff Hendricks was re-elected to the committee and a write-in candidate was elected ; there are now two openings on the committee.

There will be an executive session at the next meeting pursuant to 1 M.R.S.A. §405(6)(C) to discuss acquisition price for the Koehling property.

15 Other Board Business

Although he had no desire to be on the withdrawal committee, Ed Polewarczyk challenged the charge of bias and that his participation would be perceived to force an outcome. He said he had concerns that the committee would not be studying the issue but negotiating and that a new school district with a board and budget could be created although the budget might not be approved.

Judy Colby said the board should look at potential members who do not have a preconceived opinion. She added that the committee would have to make an estimate of cost for teachers' salaries, and summer salaries and the effect on taxes. She said that whether Wiscasset joins another RSU or AOS, the fact remains that Wiscasset cannot afford three schools. There was discussion that one or more schools might have to be closed even though they represent an asset that would attract new businesses and aid in economic development.

Bill Curtis moved to continue the meeting past ten o'clock. Vote 5-0-0.

A. Judy Colby moved that the Board of Selectmen go into Executive Session pursuant to 1 M.R.S.A. §405 (6)(A) to discuss Labor Negotiations. Vote 5-0-0. The board entered executive session at 10 p.m. and exited at 10:12 p.m.

B. Judy Colby moved that the Board of Selectmen go into Executive Session pursuant to 1 M.R.S.A §405(6)(C) to discuss land acquisition. Vote 5-0-0. The board entered executive session at 10:12 and exited at 10:24 p.m. **Judy Colby moved to accept the offer of \$25,000 from Tom Tetu for bid on the Koehling property. Vote 5-0-0.**

16. Adjournment

Judy Colby moved to adjourn at 10:24 p.m. Vote 5-0-0.