WISCASSET BOARD OF SELECTMEN,

BOARD OF ASSESSORS AND OVERSEERS OF THE POOR

JUNE 20, 2016

 Tape recorded meeting

Present: David Cherry, Chair Judy Colby, Vice Chair Judy Flanagan, Ben Rines, Jr., Jeff Slack and Town Manager Marian Anderson

1. Call to Order

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

2. Pledge of Allegiance

3. Public Hearings – none

4. Approval of Minutes

**David Cherry moved to approve the minutes of May 31, 2016 and June 13, 2016. Vote 5-0-0.**

5. Approval of Treasurer’s Warrants

**Ben Rines, Jr., moved to approve the payroll warrants of June 3, 10, and 17, 2016. Vote 5-0-0.**

**Judy Flanagan moved to approve the accounts payable warrants of June 7, 14, and 21, 2016. Vote 5-0-0.**

6. Assessors’ Business – none

7. Special Presentations or Awards - none

8. Appointments – none

9. Resignations – none

10. Public Comment on Non-agenda Items – none

11. Unfinished Business

A. Formal determination by Board of Selectmen of which MDOT option the town is supporting to improve traffic flow and safety in downtown Wiscasset: Marian Anderson reported that at the June 14, 2016 town meeting, the vote on the non-binding referendum question was No. 1 – 90, No. 2 – 426 and No. 3 – 206. David Cherry referred to a letter from Attorney David Levesque, who represents a number of downtown property owners, expressing concern that not all parties were allowed to advocate for their preferred option. Cherry said that the DOT posters in the lobby of the community center may be in violation; however, the Town Manager said that according to the town’s attorney, because this was a vote on a non-binding referendum, rules were somewhat flexible. Judy Flanagan said the posters were removed in the afternoon.

Main Street business-owners expressed their disappointment in the election process itself because of the discrimination against the Option 3 supporters and the information on Options 1 and 2 which were readily available close to or in the polling place. In addition speakers said that negative effects of Options 1 or 2 were never publicized, research should have been done on the effect that removing parking would have on small business owners on Main Street, the cost and upkeep of the improvements and the small percentage that traffic flow would improve. Business-owners also expressed disappointment that they had not been included in the planning which had been going on for over a year. The majority of the speakers urged the board to vote for Option 3.

Gerry Audibert explained the procedure should Option 2 be approved by the select board would include a transition from the planning department to the design and build department where off-street parking issues, product delivery issues, handicapped access, street lighting would be addressed. Next step would be approval by the Federal Highway Administration and the Maine State Historic Preservation Commission, both of which would include public input. The process would include an assessment of the impacts to the historic district. National Environmental Policy act involvement would be required. In response to questions, Audibert said MDOT’s participation in the town’s required planning committee may be limited, and although at this point the town was not committed, at some point the town would not be able to back out of the improvements because federal funds already committed would have to be returned. In response to questions on the MDOT’s statement that if Option 3 were selected, the MDOT would not bring back other plans, Audibert said he couldn’t say that the MDOT would never work with the town. Construction would probably not begin before 2018.

Judy Flanagan said the board had to admit it had not met with the business community or done the necessary legwork on the issue, but she did not think Option 2 would be the end of downtown and hoped that everyone could work together. **Flanagan moved to approve Option 2**. Board comments stressed the two-to-one town vote and the availability of absentee ballots in making their decision. Two members said although they favored Option 3, they had pledged to listen to and support the vote of the townspeople. **Vote 5-0-0.** A ten-minute recess followed.

B. Update on Point East litigation – postponed to July

12. New Business

A. Consideration of Applications for Catered Functions by qualified Catering Organization

 ● Dandelion Catering Company, LLC at Marianmade Farm (07-01-16)

 ● Dandelion Catering Company, LLC at Marianmade Farm (07-02-16)

 ● The Bread and Butter Catering Co at Marianmade Farm

**Ben Rines, Jr., moved to approve the three applications. Vote 5-0-0.**

B. Consideration of Catering Permit

 ● Frontier Group at Marianmade Farm

**Ben Rines, Jr., moved to approve the Frontier permit. Vote 5-0-0.**

C. Bid Opening for Airport Truck: Following discussion regarding the need for an airport truck and the availability of the recently purchased cruiser, **Ben Rines, Jr., moved that when the second cruiser comes in, the other vehicle (the cruiser from Paris) will go to the airport. Vote 4-1-0** (Colby opposed).

D. Quitclaim deed with covenant reserving a conservation easement on White’s Island: The Maine Coast Heritage Trust had submitted a draft quitclaim deed conveying White’s Island to the Town of Wiscasset. David Cherry had several questions including the “personal representative” designation in place of executor and the inclusion of commercial fishing and clamming in uses to be allowed. If the Town accepts the island, it will be responsible for maintenance and repair of the bridges. There were questions regarding commercial fishing being allowed and if it included worming. Ben Rines, Jr., requested that the tax map be made available to show what property is involved. No action was taken.

E. Update policy regarding check disbursement prior to expenditure warrant approval: It was recommended that the department heads and the town manager sign all invoices and payroll.

F. CMP’s request for two-year option to purchase: The option was discussed and several corrections recommended. It was unclear how much land and what the sale price was. **Ben Rines, Jr., moved to agree with the corrections and accept the option. Vote 2-3-0** (Cherry, Colby, and Flanagan opposed). The option will be brought back to the board in the future. The property had never been listed with a realtor; CMP had approached the town.

G. Signing of Municipal Review Committee (MRC) contract to continue as a member for the purpose of managing and facilitation solid waste disposal: Marian Anderson said the contract is under legal review and will be presented at the next meeting.

H. Announcement of the Spirit of America Award recipient for the Town of Wiscasset: Judy Flanagan said the board had chosen the food pantries at the Church of the Nazarene and St. Philip’s for the award. She said it was with great pleasure that the board acknowledged these organization who had helped feed the community.

I. Adoption of Rules of Order and Procedure for Wiscasset Board of Selectmen: The document was revised in No. 1 to indicate the board met the first and third Tuesdays of the month; and in No. 22 to add “a standing member of a committee may be reappointed if the member notifies the clerk of interest in returning to that committee.” Judy Flanagan suggested that the terms selectmen and town fathers be replaced by select board. **David Cherry moved to change, where practical, from selectman to select person or select board. Vote 3-2-0** (Slack and Rines opposed).

13. Department Head or Committee Chair Reports – submitted

14. Town Manager’s Report

A. Request from a resident for permission to use metal detector on the Mason Station property: It was the consensus of the board to not grant permission due to liability issues.

B. Reminder: Municipal Business Office closes at noon June 30th for year-end closing of books.

C. Request for support: The board has received a letter from the town of Zion, Illinois asking for support in sponsoring legislation for the removal of spent nuclear fuel from communities where nuclear plants have been located. The board will review the letter.

D. Report on Clock: Don Jones reported that the town clock is eight minutes fast.

E. There was a consensus that select board July meetings will be held on July 12 and 26 at 6 p.m.

F. The board chose Norma Gordon as Grand Marshal for the July 4th parade.

G. Ben Rines asked that Marian Anderson look into recording meetings.

15. Executive Session

**At 8:45, Ben Rines, Jr., moved to enter executive session pursuant to the provisions of M.R.S.A., Title 36, §841 (2) to consider two requests for abatements for reasons of poverty. Vote 5-0-0.** The board exited executive session at 9:09 p.m. **Judy Flanagan moved to grant the poverty abatement request of client #1-2016. Vote 5-0-0. Jeff Slack moved to grant the abatement request of client #2-2016. Vote 5-0-0.**

16. Adjournment

**Jeff Slack moved to adjourn at 9:10 p.m. Vote 5-0-0.**