

WISCASSET SELECT BOARD,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
DECEMBER 20, 2016

Tape recorded meeting

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

Chair Judy Colby called the meeting to order at 5:30 p.m. **Colby moved to go into executive session pursuant to the provisions of Title 36, §841(2) MRSA, to consider a request for abatement of taxes for reasons of poverty. Vote 4-0-0. Jeff Slack moved to exit executive session at 5:45 p.m. Vote 4-0-0.** The abatement was denied.

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

1. Pledge of Allegiance

2. Approval of Treasurer's Warrants;

a. **David Cherry moved to approve the payroll warrants of December 9 and 16, 2016. Vote 4-0-0.**

b. **David Cherry moved to approve the accounts payable warrants of December 13 and 20, 2016. Vote 4-0-0.**

3. Approval of Minutes

David Cherry moved to approve the minutes of December 6, 2016 as amended by Selectman Rines. Vote 4-0-0.

4. Special Presentations or Awards – none

5. Committee appointments: Reappointments

Jeff Slack moved to approve all appointments at once. Vote 4-0-0. Jeff Slack moved to approve the following appointments: Raymond Soule, Planning Board, 3-year; Allen Cohen, Planning Board-3 year; Allen Cohen, Ordinance Review Committee, 3-year; Bryan Buck, Airport Committee, 3-year. Vote 4-0-0.

6. Public Hearings – none

7. Assessors' Business

a. **Abatements: Jeff Slack moved to approve all abatements at once. Vote 4-0-0. Jeff Slack moved to approve the abatements for John and Patricia Nichols (Map U9, Lot 7A, \$1,438.80; John and Patricia Nichols (Map U9, Lot 7, \$282.52) and Melinda and John Whitaker (Map R06, Lot 13, \$565.04). Vote 4-0-0.**

8. Public Comment

Richard Thompson said he was disturbed to read the Bangor Daily News article on Wiscasset and urged the board members to read the article on Wiscasset's successes and failures. He commented on the successful meeting of the advisory committee, but objected to the comment that a great deal of thought had gone into the selection of members. He said he saw it as a horse-trade that took 15 minutes. Jeff Slack clarified that a great deal of thought was given to the number of committee members. Town Manager Marian Anderson said she had read the article and would give a thoughtful response to it.

9. Department head or committee chair:

a. Airport Manager – Hangar space rental to Paul E. Harvey (12/1/16-10/31/17)

b. Wiscasset Parks and Recreation – minimum wage impact chart: Todd Souza had prepared a Positional Wage Chart showing the impact of the minimum wage increase on the positions at the Wiscasset Parks and Recreation Department. Bringing employees up to the minimum wage without increasing the wages of others would result in employees with different levels of responsibilities making the same wage. He said it was not a one-year problem, but a four-year challenge, adjusting all positions to a new scale. In addition, staying competitive in the part-time market will be challenging. In response to Judy Colby's question regarding an increase in membership rates to compensate for the wage increase, Souza said memberships would go up July and he would be looking at after-school programs, consolidating positions and other options to deal with the increased minimum wage.

Souza reported that a basketball had hit a sprinkler and water had flooded the gym. He thanked the Fire Department for help in removing the water from the gym. He is looking into covers for the sprinkler heads. The insurance inspector has recommended that the floor be replaced because of mold and future warping. Serv-Pro is taking steps to get rid of the moisture to keep the floor from buckling. Souza had two quotes on replacing the floor if necessary, which would take five weeks and could be done in March, April and May. There is a \$2500 deductible on the insurance claim if the floor is replaced.

c. Department head monthly reports

10 Unfinished Business

a. Murray Hill Properties updated offer: **Ben Rines, Jr. moved to go into executive session for consultation between the board and our attorney regarding pending litigation under Title 1§405 (6)(E). Vote 4-0-0.** The board entered executive session at 6:35 and exited at 6:45 p.m. **Ben Rines, Jr., moved to come out of executive session. Vote 4-0-0. David Cherry moved to prepare a counteroffer including payment terms provided by Murray Hill in the form of a consent judgement whereby all unpaid amounts are collectable upon any non-payment. Vote 4-0-0.**

b. Mason Station foreclosure update: Marian Anderson said she had been advised that a payment of \$138,000 would be made on Wednesday, December 21.

c. Request to place sculpture on the grass of Recreation Pier May 1- October 1, 2017: A memo from Town Planner Ben Averill to the Selectboard clarified that the request by Nick Dalton to place a sculpture at the recreational pier did not require approval of the Historic Preservation Commission. **Jeff Slack moved to approve the installation of the sculpture at the recreational pier. Vote 4-0-0.** Nick

Dalton asked for permission to install solar lights to illuminate the artwork. **Jeff Slack moved to allow solar lights. Vote 3-1-0 (Cherry opposed).**

d. Municipal carpet project recommendation: Marian Anderson reported that they were still working on offers and have asked for more information.

e. Public Works tire changer financing update: Anderson reported that she was working with The First on financing at 4%, an improvement over the 9.25% offered by suppliers.

f. Financial Auditing Services update-Interviews to be scheduled in January: There was a consensus to interview all candidates except the current auditing firm.

g. School Energy Project: **Judy Colby moved to go into executive session pursuant to Chapter 1 §405(6)(E) for consultation with the board's attorney. Vote 4-0-0. David Cherry moved to come out of executive session. Vote 4-0-0.**

Attorney Shana Mueller informed the board that she had spoken with the school's legal counsel regarding the school energy project agreement that the School Committee had approved and authorized, although the contract has not yet been executed. The authority for the school department to enter into a long term debt obligation hinges on a non-appropriation clause, meaning the lender takes the risk in providing financing. If the town does not appropriate funds for payment, the lender can take equipment back; a lease-purchase agreement can be entered into without town authorization. She said the board had the option to make their opinion known, that they do not agree that a town vote is not required. Mueller said in her experience lease-purchase options were used mainly for public works vehicle short term financing and only after the first year's payment has been approved. She said options were for the Selectboard to write a letter to the school committee to formally communicate the position of the board, to reach out to lenders and contractors to describe what the board feels could be a real non-appropriate risk and, for the Town Meeting, to impose a specific budget format, including a separate line item for the payment of the loan, which would require a town meeting vote. Mueller said that although there had been discussions at meetings, perhaps a more formal communication was necessary.

In response to Ben Rines' question regarding the superintendent's statement that if the funding for the energy project were not approved, other funds would be used, Mueller said the best way to avoid that would be to impose the budget format. Judy Colby said that any expense including lease agreements should go to the town for a vote, particularly in light of the 14% tax increase this year. **David Cherry moved that the board instruct the town attorney to write the letter she has outlined to contractors, to the school board and school committee and also draft letters to any and all likely lenders to the effect that there is a severe question as to whether the town will fund this or not and they should be aware of that going into it.** Ben Rines, Jr., said the superintendent told the Selectboard what she was going to do and the school board rubber-stamped it. He said he could not understand why they wouldn't put it before the voters before it is spent.

Michael Dunn, Chair of the School Committee said the school budget is voted on annually, and the energy project will be part of the budget. He added that they were not doing anything underhanded or shady. He objected to the way the superintendent was treated at the previous meeting.

Judy Colby said the superintendent had talked about meetings that had been held but not about how the \$1.7 million would be spent. Colby said she felt she had a responsibility to the taxpayers for how their money would be spent.

There was a lengthy discussion with Dunn and Glenn Craig, vice chair of the school committee, about the process the school committee had taken with regard to the energy project, the proposed signing of the contract for the project before funds were approved at the June town meeting, and the authority of the elected school committee, not the select board, to run the schools without being micromanaged. Select board members said they were not necessarily opposed to the project, only to the process-- the lack of a vote before the contract is signed. **Vote 3-1-0** (Jeff Slack opposed).

Todd Souza said he wanted to make sure the two boards worked together to validate the project and not lose sight of the project that will be good for the kids and the town.

11. New Business

a. Monthly Financials

- Year-to-date department financial report
- H.M. Payson Statement of Accounts

b. Junkyard Permit renewals: Jeff Slack moved to take all applications together. Vote 4-0-0. Jeff Slack moved to approve Junkyard Permit Renewals for Blagden's Garage, Grover Auto & Tire, Norm's Used Cars, Inc. and Pro Body Works. Vote 4-0-0. Public hearings for permit renewals are not necessary.

12. Town Manager's Report

a. Airport Committee recruitment update: Thirty-two letters had been sent to prospective members of the Airport Committee; one application, from a pilot, was received and was referred to Jeff Slack for an interview.

b. Montsweag Dam Natural Resource Inventory report: the Conservation Committee will meet in January to review the report.

c. Broadband Meeting: Anderson reminded the board about the January 19 broadband meeting at the Lincoln County Regional Planning Commission office.

13. Other Board Business

Merry Christmas, Happy New Year and Happy Kwanza.

14. Adjournment

David Cherry moved to adjourn at 8:14 p.m. Vote 4-0-0.