

Wiscasset Board of Selectmen
Public Hearing on Town Warrant
May 10, 2011, 7 p.m., Wiscasset Community Center

Present: Bob Blagden, Vice Chairman Judy Colby, Pam Dunning, Chairman David Nichols, Ed Polewarczyk and Town Manager Laurie Smith

Chair David Nichols read the warrant for the June 14, 2011 election. Explanations in response to questions or comments were made as follows:

Article 13: There was a 45% increase in water rates increasing the amount for Fire Protection (hydrants) by \$34,000.

Article 29: The amount (\$355,736) being transferred from the Reserve Fund to be used for Capital Improvements was 3½% of that fund in accordance with the Investment Policy.

Article 33: The contributions of the other towns will be calculated on the Transfer Station operational budget.

Article 35: The \$5,000 to be raised and appropriated for Commercial Pier Debt is the first interest payment on the \$350,000 bond if Article 53 is approved.

Article 53: This article allows the Board of Selectmen to issue bonds not to exceed \$350,000 for a capital improvement project (replacement of the commercial fish pier).

Article 54: This article changes the position of Road Commissioner from an elected to an appointed position.

Article 55: This ordinance was approved by the voters last year but because of a technical error in process, the vote was voided. This is a complete rewrite of the ordinance and establishes uses, setbacks and lot size for the Village Waterfront District.

Article 56: This ordinance has been completely rewritten, establishes definitions and size standards and requires that non-conforming signs be brought into compliance within three years.

Article 57: This ordinance amendment sets the date by which Commercial Shellfish License applicants must complete 20 hours of conservation time.

Article 58: This ordinance will require the separation and recycling of materials saving the town the cost of processing and disposal.

Article 59: This ordinance combines the seasonal and temporary ordinances and regulates temporary business activities such as blueberry stands and allows permit holders to operate for 90 days in any calendar year.

The public hearing closed at 7:50 p.m.

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS & OVERSEERS OF THE POOR
MAY 3, 2011

Preliminary Minutes

(tape recorded meeting)

PUBLIC HEARING

Present: Wiscasset Selectmen Bob Blagden, Vice Chairman Judy Colby, Pam Dunning, Chairman David Nichols, and Ed Polewarczyk; Woolwich Selectmen Lloyd Coombs, David King, Dale Chadbourne and Todd McPhee; and Town Manager Laurie Smith

Joint public hearing of the Wiscasset and Woolwich Board of Selectmen to receive public comment regarding the transfer of 22 acres on the Montsweag Brook from Central Maine Power as compensation for the Maine Power Reliability Project. The compensation involves the property and the upper dam to a third party for conservation purposes.

Bud Newell of TRC, consultants for Central Maine Power, said that as part of CMP's Maine Power Reliability Program (MRPR), resource inventories and mapping of natural resources on all of the transmission line corridors has been done. This information was used to determine the level of compensation and mitigation CMP would need to provide under the Maine DEP and Army Corps of Engineers rules and regulations to offset project impacts.

One of the compensation parcels is the Montsweag Brook Compensation Parcel: 22 acres in Wiscasset and Woolwich. Montsweag Brook flows through the parcel and the Montsweag dam is located on the property. The dam was built in 1941 as a backup water supply for Mason Station.

Newell said CMP was willing to transfer the property to Wiscasset and/or Woolwich. If neither town is interested, CMP would retain ownership with covenants and restrictions covering the property. In response to a question on the Fish Passage Restoration clause in the covenants, Newell said that that section was added because Chewonki Foundation was at one time interested in the property and in restoring the fish passage either by a fish ladder or by removal of the dam. Both that clause and No. 8 dealing with the prohibition of motorized vehicles can be revised and the covenants will be rewritten to delete references to Chewonki Foundation. Newell said that the owner of the property would develop a management plan that would need approval if it included anything not covered by the covenants.

If Wiscasset were to acquire the property, the pond could be used as a source of water for fire suppression. A disadvantage of acquiring the property is that not much can be done with the land; the value of the property is gone, no matter who owns it. Other disadvantages are town liability, requirement to keep perimeter marked and clear, and maintenance (Newell will check on maintenance records). Newell said CMP would provide a \$100,000 stewardship fund that can be used for property management or maintenance. It was suggested that CMP be asked to fund an engineering study and legal advice on the rights and covenants. Bob Blagden said the main issue was the fate of the dam, which would be controlled by the owner.

Legal access and ownership of gate were discussed as well as the possibility of the property being open to the public if Wiscasset were to own it. The public hearing closed at 6:30 p.m.

Bob Blagden asked that the matter be placed on a future agenda. Pam Dunning asked Newell to provide information on past maintenance and expected life span of the dam. She asked what the town's responsibility would be if it owned the property such as repairs to or removal of the dam and whether a fish ladder was required and at what cost. Maintenance of the road was also brought up as a responsibility of the ultimate owner.

David King said the matter would be on the Woolwich Selectmen's agenda and Wiscasset would be advised if they had an interest in the property.

AGENDA

1. Call to Order

The chairman called the meeting to order at 7 p.m.

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

3. Approval of Treasurer's Warrant: April 26, 2011 and May 3, 2011

There was a consensus that checks not be issued for work not yet performed. **Pam Dunning moved to approve the Treasurer's Warrants of April 26 and May 3, 2011 as amended [to remove prepaid checks]. Vote 5-0-0.**

4. Approval of Minutes: April 19, 2011

Pam Dunning moved to approve the minutes of April 19, 2011. Vote 4-0-1.

5. Special Presentations or Awards:

David Nichols announced that the 2011 Town Report was dedicated to Tim Merry and presented him with a plaque in honor of his 19 years of service on the fire department.

6. Executive Session for personnel matters pursuant to 1 M.R.S.A. §405(6)(A)

David Nichols moved that the Board of Selectmen go into Executive Session pursuant to 1 M.R.S.A. §405(6)(A) to discuss personnel matters. Vote 5-0-0. The board entered executive session at 7:15 p.m. and exited at 7:25 p.m.

7. Committee Appointments

Judy Colby moved to appoint Jack Pringle to the Waterfront Committee. Vote 5-0-0.

8. Public Comment

Anne Leslie said the Wiscasset Conservation Committee had chosen an American elm tree to be planted outside the Municipal Building honoring Woody Freeman. She said landscaper Dennis Anderson will provide the tree at cost and deliver it. Cost ranges from \$112 to \$550 depending on size. A mounted 8 x 12 bronze plaque is estimated to cost \$675. There is approximately \$1,000 in the fund. Bob Blagden said the proposed wording was fine and suggested that the plaque be purchased and that the committee purchase as large a tree as possible. **He moved to authorize the Town Manager to work with Mrs. Leslie and put this issue to rest. Vote 5-0-0.**

9. Department Head or Committee Chair Report

A. Erv Deck, Airport Manager

Deck asked if there was a policy on hunting on town property, as the turkey population at the airport was getting out of control. It was suggested that he work with the local gun club and contact the Fish & Game Department to determine if there is a program in place.

Regarding the budget for grass mowing at the airport, Deck said he had found no one who would pay the airport to take the hay; however he had heard from someone who on a long term basis would fertilize, cut on a regular basis and take it away.

The Maine DEP had toured the airport and found that the stormwater pollution prevention plan needs updating and a new plan can be funded 97½% by the state and FAA. Stantec will be investigating a grant for this purpose; the town's share would be \$500.

The lowest bidder for the gates was non-responsive and the next lowest bidder was chosen.

A snow pusher is needed and will be included in the grant application for the fence and gate and the stormwater pollution plan; cost to the town will be \$3,900, which can be handled by the airport budget.

Deck said the Texas Flying Legends Museum, owner of five World War II aircraft and based at Ellington Field, Texas, had chosen Wiscasset airport as its summer home and the aircraft would be in Wiscasset from August through mid-October. They will participate in the open house and fly-in and will eventually build their own facility in Wiscasset.

B. Investment Committee quarterly Report - Chair Ed Polewarczyk

Polewarczyk reported on the market value and diversification summary of the reserve and endowment funds and the changes to asset allocation due to the Investment Policy. The market value of the reserve fund as of March was \$10,222,886, an increase of 1.8%; the market value of the endowment fund was \$2,166,886, an increase of 20.4% over the past nine months. The investment advisor will be moving slowly into equities, minimizing risk, and working toward a perpetual fund with a 3½% distribution each year.

C. Rick Lang, Code Officer - Koehling and Hart Property update

Lang reported that he and Mary Ellen Barnes, Lincoln County Economic Director, had met with Jean Firth and Hank Andolsek from DEP who had determined that the Hart property would qualify for assessment to determine the extent of any pollutants on the site if brownfield funds became available. Firth has developed a five-stage assessment plan as a result of the meeting.

Town Manager Laurie Smith said that the potential path laid out by Firth was one alternative; there was not a lot of brownfield money available and the process could take several years. Another option would be to sell the property with a deed restriction that the property be cleaned up before the deed is turned over to the owner. One advantage of a sale is that a private owner would not be required to have as many phases of assessments as a governmental entity would. She said the cleanup could cost the town \$100,000, state grant funds would be necessary and it would be a long process. DEP approval would be necessary if the town were to sell the property; Town Attorney Dennis Jumper had seen no potential issues with a sale. There was a consensus that the town seek permission from the DEP to sell the property and put it out to bid.

With regard to the Koehling property, Lang submitted a plan from Todd Coffin, GEI environmental consultant, for the proper removal and disposal of the building and contents. Lang said a Nonhazardous Waste Haulers Permit from the DEP had been applied for in order to properly transport the solid waste. He said five or six individuals had expressed an interest in bidding on the property after demolition.

C. Waterfront Committee recommendation of vendors to the Main Street Pier

David Nichols moved that the Board of Selectmen approve Ronald Leeman's application contingent upon final approval by the Waterfront Committee. Vote 5-0-0.

10. Unfinished Business

A. Doug White special amusement permit for August Country Music Festival

The applicant asked that the 90-day notice in his permit be changed to a 60-day notice because bands did not schedule events that far in advance. He said the event may be a country music or rock festival and would take place the first part of September. **David Nichols moved to amend the Country Music Festival permit scheduled for approximately the first of September to a new music format and to change the deadline for submitting final information to 60 days prior to the event. Vote 5-0-0.**

B. Draft Website Policy Discussion

The board was provided with a draft website link policy. The board discussed the difficulty in deciding which groups or organizations met the criteria allowing them to have links on the Wiscasset website as well as problems with monitoring the sites and determining whether sites were compliant. The board delayed taking any action on the policy until a legal opinion was obtained on the limits of links displayed on the town's site.

C. The Town website Link to the Wiscasset Educational Panel

No action was taken pending a legal opinion on the website policy.

D. Downtown Business District ordinance expansion

Jeffrey Hinderliter said the public expressed concern at the public hearing on this ordinance amendment because it would allow uses not compatible with the historic character of the neighborhood. The purpose of the amendment was to allow additional uses for The Ledges. The board, with the agreement of one of the owners of The Ledges, had recommended that an overlay district or other provision be made to allow additional uses for only that building. The board had at the previous meeting decided to remove the ordinance amendment from the warrant. **Pam Dunning moved to forward the downtown business district amendments to the Town Planner and Ordinance Review Committee to incorporate the comments received through the public hearing process. Vote 5-0-0.**

11. New Business

A. Wiscasset Downtown Plan discussion and Communities for Maine's Future application

Smith said that the Communities for Maine's Future Bond program, administered by the Department of Economic and Community Development, provides funding to eligible Maine communities for downtown or village center community infrastructure projects. Minimum grant award is \$25,000, maximum is \$400,000. Grants require a 1:1 match.

Smith is investigating the possibility of using the grant for the Railroad Avenue Improvements plan that includes upgrades to Railroad Avenue, a new parking lot, a railroad platform and a structure for waiting passengers. Moving the railroad station to the north side of Route 1 would free up access to the commercial pier. There is a possibility that the match for the project could be the commercial pier replacement. In order to be eligible for the grant the town is required to have a downtown plan, which Jeffrey Hinderliter has written, combining elements of the Comprehensive Plan, Railroad Avenue Improvements Plan, and Pedestrian and Trail plans and developed a Downtown Plan. A letter of intent is due June 3.

Smith said that portable platforms are available from the state, which would reduce that cost. Smith will meet with the State, engineers, and Don Jones on site on May 11 to determine how the cost could be reduced. It may be possible to handle the road part of the project in house.

Smith announced the resignation of Jeffrey Hinderliter, who has accepted a position at Old Orchard Beach, and thanked him for his help and commitment. The board also expressed its appreciation.

B. Midcoast Economic Development District reorganization and appointment of two new representatives

Bob Blagden moved to appoint Laurie Smith and David Nichols to serve as the Town of Wiscasset's representatives to the Midcoast Economic Development District's general assembly. Vote 5-0-0.

C. Appointment of a Selectman and citizen to the RSU 12 reapportionment committee.

Ed Polewarczyk moved to appoint Don Jones and Judy Colby to the RSU12 reapportionment committee. Vote 5-0-0.

12. Town Manager's Report

A. Update regarding meetings with abutting communities

Smith, Roland Abbot and Ron Lear met with Alna and Westport Island to provide them with an update on the transfer station and EMS and with Edgecomb on the EMS. The proposed mandatory recycling ordinance was discussed as well as the EMS budget costs and possible contributions of \$3,000 from these towns. Peter Arnold and Peter Dalton joined Smith for the meeting with Westport to discuss the tidal project. Smith suggested that contributions be made on a calendar year basis, which would give the towns time to include the costs in their next year's budget and Wiscasset would have the information for its next budget season. Smith will draft a letter to the towns requesting contributions for the EMS if they wish to receive service.

B. Fuel Oil Bids

Smith reported that Maine PowerOptions recommended waiting before going out for bids on fuel oil. The board agreed with the recommendation.

C. Water Project update

According to the Water District, the Main Street project will be completed by the middle of June; work on the crossings will be done at night. No parking will be allowed on Main Street from Federal Street to the railroad. The Federal Street project will take place from June to September. It may be necessary for the town to move its sewer lines during the work on Federal Street.

D. General Update

An estimated increase in water rates will cost the town \$142,500; \$132,000 has been budgeted. Final figures will have to be approved by the PUC. Board members will attend a 6 p.m. meeting at the Water District on May 17 before their regular meeting at 7 p.m. Bob Blagden referred to a vote in the past (when the town received greater taxes from Maine Yankee) on a funding formula, which was skewed so that the town picked up a large part of the Water District budget in favor of the ratepayer and it was obvious this was still the case.

13. Other Board Business

David Nichols asked for volunteers for the 4th of July committee to contact the office. He said without volunteers, the parade might have to be cancelled.

David Nichols moved to go into Executive Session pursuant to 1 M.R.S.A. §405(6)(A) and 1 M.R.S.A. §405(6)(D) to discuss personnel matters and labor negotiations. Vote 5-0-0.

The board entered executive session at 9:20 p.m. and exited at 10 p.m.

14. Adjournment

Judy Colby moved to adjourn the meeting at 10 p.m. Vote 5-0-0.



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

5A

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

May 11, 2011

Ms. Laurie Smith, Town Manager
Wiscasset Town Office
51 Bath Road
Wiscasset, Maine 04578

Re: Proposal to Hire a Uniformed Police Officer to Improve Route 1 Traffic Flows

Dear Ms. Smith:

Per your request this proposal is presented to you for distribution to the Wiscasset Board of Selectmen for their consideration at the May 17 Selectmen's meeting. Specifically, we propose to share with the Town of Wiscasset the cost to retain uniformed traffic officers to reduce traffic delays through downtown Wiscasset by better managing pedestrian crossings, particularly from July through September. This offer is for the summer of 2010 only. We recommend having two officers present in order to adequately handle all of the intersections and crosswalks located between Route 27 and Water Street.

Attached you will find two calendar-like summaries indicating for 2009 and 2010 when the US Route 1 traffic speeds dropped to 25 mph or less at Birch Point Road northbound in Wiscasset and/or at Route 27 southbound in Edgecomb. Also attached is a summary of our proposed schedule for the uniformed traffic control officer(s). Per our discussion, we have assumed we can use reserve officers at the rate of \$14.34 per hour. Based on the 500 hours of service we have estimated for one officer, the total cost would be \$7,170. We have received a generous offer of \$2,000 to be used for this purpose from Mr. E. Davies Allan. This amount would be credited to the Town's 50% share, so \$1,585 would be paid by the Town of Wiscasset with the remaining \$3,585 covered by MaineDOT. However, we recommend utilizing two uniformed officers to better manage traffic and pedestrians, thus doubling the total cost to \$14,340. After deducting the \$2,000 donation by Mr. Allan, the Town would pay \$5,170 and MaineDOT would contribute \$7,170.

We further propose to conduct two traffic counts at Davey Bridge this summer. Both counts would be conducted over a 12-hour period on a busy Friday afternoon between mid-July and mid-August. One count would be conducted without the presence of the uniformed traffic control officer(s) and the other traffic count would be done when the officer(s) is/are present. By conducting the counts (in both directions) in this manner, we will be able to



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demonstrate whether or not a traffic control officer(s) can effectively reduce traffic delays by increasing the "throughput" or "capacity" of US Route 1.

Also, for your and the Board's further consideration I attach similar proposals sent by Mr. William Curtis and Mr. Morrison Bonpasse. Mr. Curtis offers a more intensive traffic control officer plan by utilizing additional officers at multiple locations. He estimates the cost would be about \$52,000 for the first year and about \$32,000 annually thereafter. Mr. Bonpasse's proposal is for fewer hours than MaineDOT is proposing. There are no doubt many other variations that could be considered, but suffice it to say if the Town of Wiscasset and/or other contributors were to pledge additional monies, MaineDOT would consider increasing its match proportionally as well. Our goal is to provide a meaningful attempt to improve traffic flows through effective traffic management techniques such as is presented herein.

I look forward to discussing this offer with you and the Board of Selectmen. Please contact me if you have any questions or would like additional information prior to the meeting.

Very truly yours,



Gerry Audibert, P.E.
Study Manager

Attachments

- 2009 Wiscasset Speed Data
- 2010 Wiscasset Speed Data
- Birch Point Road NB 2010 Radar Speed (May through October)
- Birch Point Road NB 2010 Radar Speed (August)
- Traffic Volume Projections versus Actual Traffic Counts
- Wiscasset Count Station 2009 and 2010 (Traffic Volumes Comparison)
- Wiscasset Count Station 2010 (Weekday and Weekend Volume Comparison)
- Proposed 2011 Summer Schedule for Uniformed Traffic Control Officer
- William J. Curtis Proposal
- Morrison Bonpasse Proposal

2009 Wiscasset Speed Data
US Route 1 Northbound Traffic at Birch Point Road Wiscasset Overlaying US Route 1 Southbound Traffic at Route 27 Edgcomb (In Orange)
Traffic Speeds at or Below 25 MPH for 30 Minutes or Longer

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Wiscasset Traffic Management Plan
Proposed 2011 Schedule for Uniformed Traffic Control Officer(s)
NOTE: 2 Uniformed Traffic Control Officers Recommended

Holidays:

- Monday May 30 (Memorial Day)
- Monday July 4 (Independence Day)
- Monday September 5 (Labor Day)
- Monday October 10 (Columbus Day)

Month	Week of	Days	Hours	No. of Days	No. of Hours/Day	Total Hours
May	22	Fri, Sat	12 to 4	2	4	8
	29	Sun, Mon, Tue	12 to 4	3	4	12
June	26	Fri, Sat	12 to 6	2	6	12
July	3	Sun, Mon, Tue, Fri	12 to 6	4	6	24
	10	Thu, Fri	12 to 6	2	6	12
	17	Sun through Sat	12 to 6	7	6	42
	24	Sun through Sat	12 to 6	7	6	42
	31	Sun through Sat	12 to 6	7	6	42
August	7	Sun through Sat	12 to 6	7	6	42
	14	Sun through Sat	12 to 6	7	6	42
	21	Sun through Sat	12 to 6	7	6	42
	28	Sun through Sat	12 to 6	7	6	42
September	4	Thu through Sun	12 to 6	4	6	24
	11	Thu, Fri	12 to 6	2	6	12
	18	Thu, Fri	12 to 6	2	6	12
	25	Thu, Fri	12 to 6	2	6	12
October	2	Thu through Sun	12 to 6	4	6	24
	9	Sun through Sat	12 to 6	7	6	42
	16	Mon, Tue	12 to 6	2	6	12
Total Hours (1 Uniformed Officer)						500
Hourly Rate*						\$ 14.34
Total Cost (1 Uniformed Officer)						\$7,170.00
MaineDOT Contribution (50% of Total Cost)						\$3,585.00
E. Davies Allan Contribution						\$2,000.00
Town of Wiscasset (50% of Remainder)						\$1,585.00
Total Hours (2 Uniformed Officers) - RECOMMENDED						1,000
Total Cost (2 Uniformed Officers)						\$14,340.00
MaineDOT Contribution (50% of Total Cost)						\$7,170.00
E. Davies Allan Contribution						\$2,000.00
Town of Wiscasset (50% of Remainder)						\$5,170.00

* Hourly Rate based on \$13.00/Labor plus \$0.99 FICA plus \$0.35 Worker's Comp costs.

Prepared by Gerry Audibert, MaineDOT
 May 11,2011

To Laurie Smith W-TM
Gerry Audiber, PE, M-DOT

From William J Curtis PE, IH

Subject; Route One Traffic Flow

Hi All

My perception of Rte 1 is a means by which Goods and Services are efficiently transported along Coastal Maine inclusive of all the peninsulas

I have lived at the intersection of Rte. 1 and old Bah Rd. for thirty-four years During this time period traffic has increased tremendously as depicted in your most recent data base. As one would expect this has resulted in increased accidents and excessive time delays which impact the cost of doing business. Obviously these costs get handed down tot the consumer

In the middle of the 70's the than, Wiscasset Police Chief Ben Fitzgerald posted a Traffic Control" individual at the interactions of Main and Water Street and on occasion the intersection of Maine and Middle Streets This did increase uniform flow of traffic. However, with the closure of our benefactor, Maine Yankee this program was cancelled.

A few years ago you, M-DOT, explored several alternatives including the aforementioned with associated one way streets

In this writer's opinion, there were measurable successes however, cosmetics played a distasteful role

In view of the aforementioned we can not keep putting off action, we have to bite the bullet now It is this writer's opinion that implementing the following will substantially increase traffic flow

My following recommendations are based on previous performances and expiatory trials

Recommendations

During May through Late September traffic increases measurably To prudently address this phenomena consider the following,

- Post "police officer" at the intersections of Middle and Maine Street and Maine and Water Street from 11 AM to 10 30PM seven days a week
- Monday through Friday the "Middle Street Officer" may on occasion have to inter act between Middle and Federal Street, the Post Office
- On Saturday between the hours of 10:00 AM and 12 Noon post an additional Police Officer at Federal Street, the Post Office
- During this time frame and with the concurrence of the Wiscasset TM, designate Water Street as way northerly for West Bound Traffic and one way southerly for east bond traffic Coordinate the one way traffic change for Middle St. to insure one way traffic flow
- Coincident with the proposed traffic flow an appealing temporary divider must be erected down the middle of Main Street too prevent "Jay Walking"
This temporary divider is to be taken down and at the end of each season and again erected at the beginning of the next season

Cost Impact

It is estimated the cost to M-DOT would be

Labor	\$26,970
Material	25,000

Total first year \$51,970

Subsequent years \$31,970

See attachment for ROM* breakdown

Conclusion.

These recommendations, if put in place, should increase traffic flow through the village by approximately 20%

This ROM if enacted must meet approved with the Wiscasset TM

Regards

O/s/b

William J Curtis PE, IH

Wiscasset Resident

e-mail rusty@gwi.net

ROM COST ESTIMATE

May through September (147 days @12 hrs /day)	1764 Hrs
Sat Fill in (2 Hrs per Sat)	34 Hrs
Hourly Rate	\$12 00
Labor Cost	\$21,576
Overhead@25%	\$ 5,394\
Total Product Coast	\$26,970
Material ROM Cost	
Temp Divider	\$20,000
Signs etc	\$ 5,000
Total Material Cost	\$25,000
Total Cost 1 st Year	\$51,970
Subsequent yearly Cost	\$31,970

*ROM = Rough Order of Magnitude

Audibert, Gerry

From: Morrison Bonpasse [morrison@wiscasset-road.org]
Sent: Tuesday, April 12, 2011 9:52 AM
To: Laurie Smith
Cc: Audibert, Gerry; Todd Brackett, Sheriff, Lincoln County; Don Jones; Frank Risell, co-chair, R.O.A.D.
Subject: Re: Request to begin planning for Part-time Vehicle/Pedestrian Control Officer for Summer 2011 for Route 1/Water Street Intersection

Dear Laurie,

A member of R.O.A.D. has offered to contribute up to \$2,000 toward the placement of a vehicle/pedestrian control officer at Water Street this summer. A key condition of such a contribution would be that the officer's first priority would be to assist the flow of traffic.

Given the importance to the state's and region's economy of a smooth flow of traffic on Route 1, it's vital that the Wiscasset Route 1 traffic congestion be reduced. I'm hopeful that some reasonable sharing of responsibility for the vehicle/pedestrian control officer can be negotiated.

There can be no question that a major source of the seasonal traffic congestion is caused by pedestrians and turning vehicles at the Water Street/Route 1 intersection. Many reasonable people, including the Maine Dept. of Transportation, believe that such congestion warrants the construction of a \$100 million by-pass, which would mean the taking, and loss from the tax rolls, of a considerable swath of land in Wiscasset, and the destruction of many homes and businesses. Given the monetary and human cost of this solution, it seems reasonable that a way should be found to assign a trained vehicle/pedestrian control officer at that intersection this summer.

Wiscasset, Lincoln County and the Maine State Police, all have uniformed officers who could perform this work, which begs the question of whether the proposed 221 hours can be performed without any additional expense to taxpayers, by using existing staff and budgets. This is an important question which can be negotiated among the stakeholders.

The next step is to bring the stakeholders together (virtually, or actually) for that negotiation, and it seems reasonable to look to MDOT, to lead that effort.

Best regards,

Morrison

----- Original Message -----

From: Laurie Smith
To: Morrison Bonpasse
Cc: Gerry Audibert, Maine Dept. of Transportation ; Todd Brackett, Sheriff, Lincoln County ; Don Jones ; Frank Risell, co-chair, R.O.A.D.
Sent: Sunday, April 10, 2011 11:05 AM
Subject: Re: Request to begin planning for Part-time Vehicle/Pedestrian Control Officer for Summer 2011 for Route 1/Water Street Intersection

So I am to take from this email that ROAD is planning to assist in the sharing of the cost?

Laurie Smith

On Fri, Apr 8, 2011 at 3:06 PM, Morrison Bonpasse <morrison@wiscasset-road.org> wrote:
 Dear Gerry, Todd, Don, Laurie and Lt. Allen,

4/12/2011

No matter what MDOT decides for the long term solution to the Wiscasset Route 1 congestion, we will see congestion this summer. Without formal votes, I believe that there was a consensus that having a traffic/pedestrian control officer at the intersection of Route 1 and Water Street during the summer months is a good idea.

As the responsibility for reducing the Wiscasset congestion seems to be shared, the challenge is to work together to ensure that the need is met this summer. In letters last winter, Gerry indicated that MDOT might be able to help with funding such a person.

The key to the success of such work would be a clear charter for the Vehicle/Pedestrian Control Officer that, consistent with safety for all, the primary goal is the flow of traffic through town. The secondary goal is to assist pedestrians in crossing the street, but to do so by encouraging them to assemble into groups, where applicable, (i.e. where more than one person is likely to want to cross the street within a 60 second window) and then assisting their crossing. If, for example, on a typical Friday afternoon, there is one crossing of a pedestrian or pedestrians every minute, the vehicle/pedestrian control officer can reduce the number of pedestrian crossings by 66% if s/he can reduce the frequency to once every three minutes, thus requiring some people to wait for a larger group to assemble.

Attached is a spreadsheet with a proposed schedule for 17 hours a week for 13 weeks, for a total of 221 hours.

The vehicle/pedestrian control officer could also assist with southbound and northbound vehicles turning left onto Water Street.

Several people recall that several years ago, there were officers assisting pedestrians to cross Route 1 at Water Street and/or Federal Street, and that there wasn't much reduction, if any, in the Wiscasset congestion. The key differences between then and now are that, this time...

1. The charter of the officer will be, clearly, to encourage traffic flow, and
2. MDOT now has the ability to measure the congestion, with the radar/webcam stations outside of town.

If there is a measureable reduction in traffic congestion due to the use of a vehicle/pedestrian control officer, then the argument will strengthen for having a similar officer in place in 2012, and perhaps at Federal Street as well. On the other hand, if there is no reduction, then other ways of reducing the congestion must be pursued. R.O.A.D. recommends the construction of a pedestrian bridge or tunnel, but first let's see what a vehicle/pedestrian control officer can do.

R.O.A.D. hopes to videotape the intersection at times this spring and summer, so we can record a real-time sense of the frequency of pedestrian crossings and the utility of the vehicle/pedestrian control officer.

As MDOT has led the effort to consider ways of reducing the congestion, including the option of a bypass, can I suggest that it lead the way toward the training and placement of an officer at Water Street/Route 1 this summer by scheduling a meeting of the stakeholders, and others I may have missed? Or leading the way with a proposal? Perhaps MDOT has, or knows of, experience with the use of vehicle/pedestrian control officers in other towns and cities.

Best regards,

Morrison

Morrison Bonpasse, Co-Chair
R.O.A.D. (Route One Alternative Decisions)
P.O. Box 390
Newcastle, ME 04553
207-586-6078
www.wiscasset-road.org

A STUDY OF WISCASSET CLAM INDUSTRY

Amy Winston, Lincoln County Economic Development Office, 2010

Background and Purpose

This analysis examines the economic importance of the soft-shell clam resources and industry to the Town of Wiscasset. In the fall of 2009, the Town of Wiscasset Shellfish Committee asked Lincoln County Economic Development Office (now LC Regional Planning Commission) to conduct an impact analysis of its clamflats and soft-shell clam industry. Part of the purpose was to provide information to the Town Budget Committee as it weighed the town's investment in the local clam conservation and reseeded programs.

Wiscasset is endowed with many natural resources, and with its location on the Sheepscot River, is rich with marine species: lobsters, soft-shell clams, worms, etc. In the mid 1990s, the Town Code Enforcement Officer Stuart Wyman, along with local clam diggers, started a Shellfish Committee to survey, sample, and test the water quality of the River in order to reopen pollution closed flats. The Town hired Henderson Associates (for about \$5,000) to conduct a certified shoreline survey, and passed a shellfish ordinance, requiring clam diggers to apply annually for a commercial digging license. In addition, diggers had to complete a minimum of 20 hours conservation time as a condition to maintain their license. Formerly, diggers needed a State license and could dig anywhere in Maine. This "watershed" moment delegated to municipalities the ability to regulate the use of the flats located in their town.

Professor Kevin Athearn of the University of Maine at Machias (2008) estimated the direct value of output from Maine's molluscan shellfish economy at \$29.9 million in 2006. This industry provided an estimated \$21.5 million in direct labor income to harvesters, growers, dealers and their employees. This output and income included statewide more than 2,000 license- and leaseholders, dealers, and employees. Indirect and induced impacts — the additional economic activity that is generated by the purchase of intermediate goods and services by the shellfish industry — generated another estimated \$26.1 million in sales revenue to Maine businesses beyond the shellfish sector, and an additional 264 jobs in 2006. The total economic impact of the industry on Maine's economy was estimated at \$56 million (Athearn 2008).

What is the role of Wiscasset's shellfish sector, clams in particular, in contributing to the Town's local economy? What are the direct, indirect and induced impacts of this pursuit, and what is the overall economic impact of the clam flats and other shellfish harvesting? How does Wiscasset's clamflats contribute to Maine's shellfish economy?

The research and analysis presented in this report was modeled on Athearn's 2008 study quantifying the impact of the shellfish industry on Maine's economy, and an economic analysis of the soft-shell clam industry in Casco Bay prepared for the Casco Bay Estuary Project by a team of researchers (Heinig, et al 1995). LCEDO would like to thank both Dr. Athearn and Casco Bay Estuary Project for their assistance, especially the use of Dr. Athearn's validated interview questionnaires and guidance in building a valid, reliable model.

Data for this study was collected from the Maine Department of Marine Resources (DMR) and the Town of Wiscasset on shellfish landings, licenses, dealer licenses, and closure history. Additional information about local digging, reseeding, marketing, and the effects of red tide, flood and pollution closures, was obtained through interviews with local licensed clam diggers and dealers, and with a Wiscasset Shellfish Committee member who does not harvest, buy or sell clams, but actively helps administer the Town's reseeding program. Interviews with 11 clam diggers were conducted between June and September 2010.

A regional input-output modeling system (IMPLAN 3.0 software) was used to estimate the total economic impact of Wiscasset's shellfish industry on the local regional (Sagadahoc-Lincoln County) economy. The analysis was done by the University of Maine and suggests current limitations and local opportunities for adding value to this industry.

Section 1 of the Report describes the shellfish harvesting taking place in Lincoln County and Wiscasset. Figure 1 shows Lincoln County's contribution to Maine's softshell economy (and hence to the Maine economy in general). Figure 2 presents and summarizes the landings values and license data for soft shell clams in Wiscasset, compared to other Lincoln County towns. Section 3 details the survey and results of the 2010 interviews with Wiscasset clam-diggers. Section 4 presents the impact analysis, Section 5 discusses water quality and closures, and Section 6 presents some conclusions and recommendations.

SECTION 1

Soft-shell Clam Landings in Lincoln County, Wiscasset, and Maine

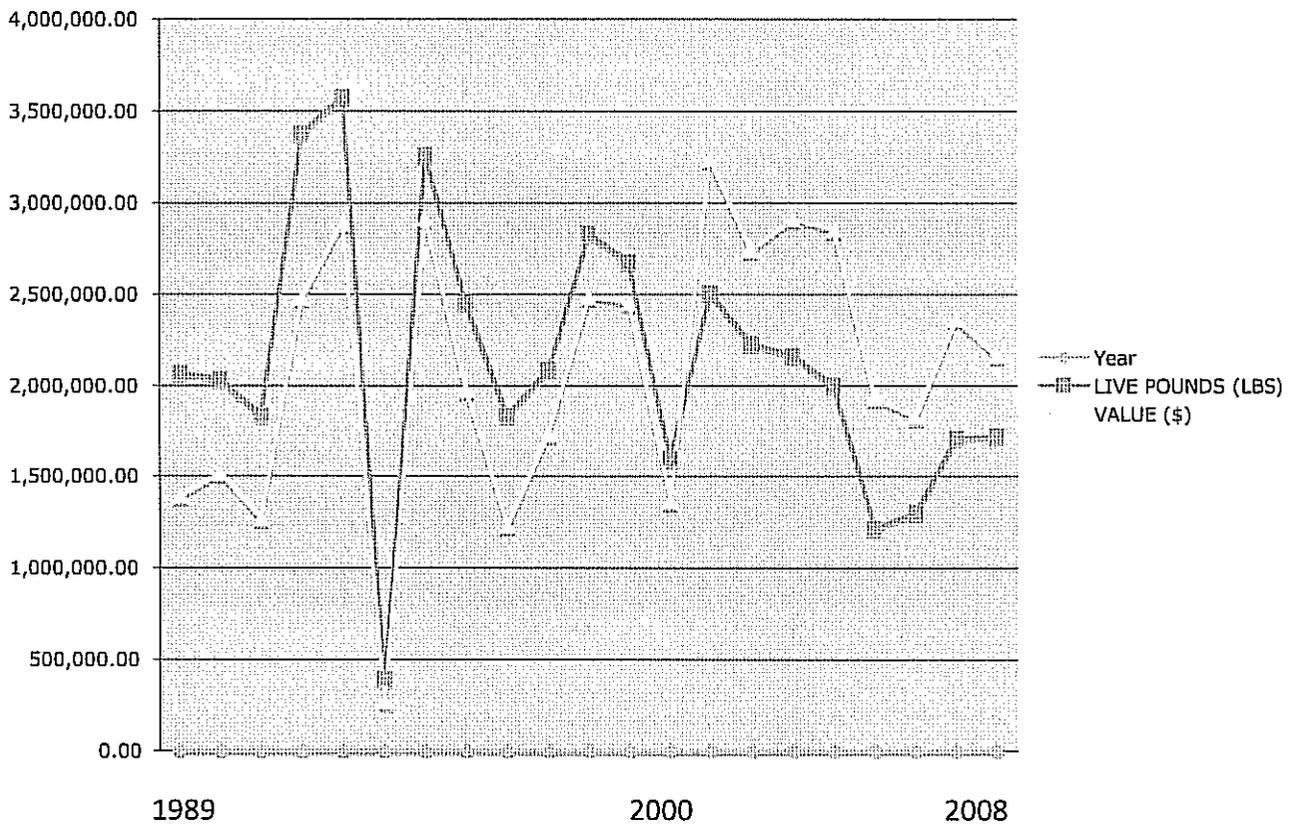
The value of Lincoln County's soft-shell clam harvest (total landings) in 2008 was \$2.3 million (1.9 million live pounds), down from a direct impact in 2007 of \$3.9 million. Landings data obtained from Maine Department of Marine Resources (DMR) reflect a great variation in values over the past 20 years (1989 to 2008) from \$268,629 to \$3.35 million (or 395,278-3.6 million live pounds). Average annual value was \$2.1 million (or 2.14 million pounds). The value of County clam landings, in dollars and pounds, is documented in the figure below, along with price variability.

This trend is congruent with the statewide industry trends. Landings in 2006 were less than half the levels achieved during the 1970s and early 1980s (Athearn, 2008; MDMR 2007). According to Dr. Athearn (2008), soft-shell clams are the most valuable species of Maine's shellfish harvest. The state's soft-shell clam landings have fallen from a recent high in 2001. In 2001, the statewide economic impact of clamming was \$13.2 million. Since that year, landings have declined statewide from 13.5 million pounds (live weight) to 9.2 million pounds in 2006. Despite the industry's high economic (\$13.2 million) value of soft-shell clam landings in 2006, the total value was down from \$17.3 million in 2001. For all shellfish, the total economic impact generated in 2006 was \$56 million – \$16 million below the 2001 level of \$72 million. The causes of the decline in landings are uncertain --- there is variation throughout the State in clam flat productivity and water quality issues, and more research is needed.

Each of the eight coastal counties in Maine report landings. Washington County (with 25-33% of landings by weight since 2001) and Cumberland County have reported the highest landings in recent years and are thus most dependent on this industry. York and Waldo Counties, with the lowest landings, are least dependent. Soft-shell clams are harvested year-round, and as interviews with Wiscasset clam diggers confirm, prices and therefore landings are higher during summer months. Lincoln County's harvest has ranged from 13 to 19 percent of the State total over the past decade.

Figure 1.

Lincoln County Softshell Clam Landings, 1989-2008



Wiscasset's Clam Landings

For the first half of the decade, Wiscasset's share of this activity (and contribution to the industry) peaked decade in 2002 with 50,717 pounds harvested for a value of \$63,898 (See Table 2, below). In 2003, landings decreased by nearly half before reaching the \$50,000 level once again in 2006. In research into data that would be most useful for this study, for the period 2006 - 2010, a graph produced for this time period based on the Town's Shellfish Warden annual reports.

Figure 2 below shows the value (in dollars and live pounds) of Wiscasset soft-shell clam landings, from 2001-2006.

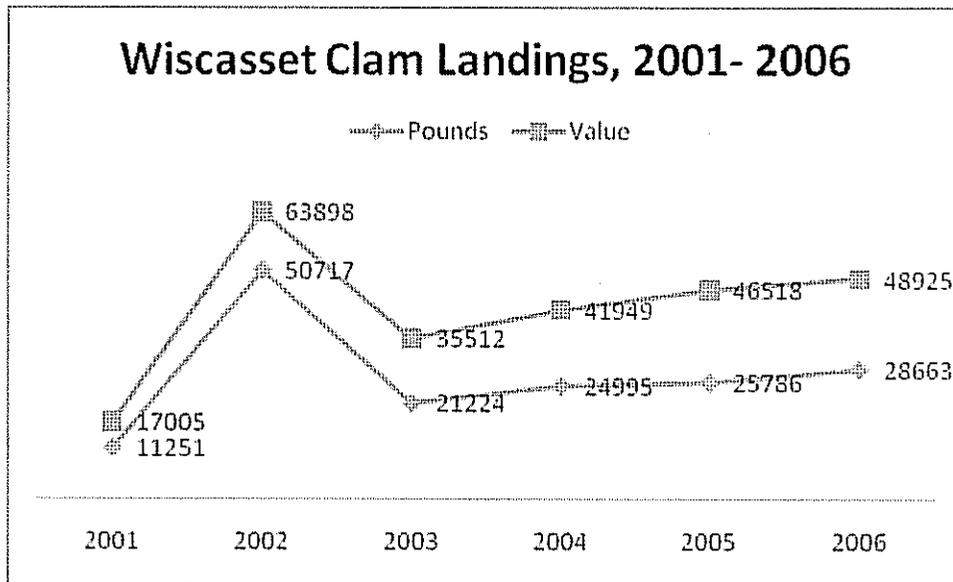


Figure 2

Figure 3 below shows a 31% increase from 2006 to 2007, and then a decline from 2007 to 2009. The major increase in 2010 is most likely due to the productivity of a couple of flats – the landings were more than 2 ½ times the 2009 level. 2010 was the greatest harvest and dollar value in the past 20 years.

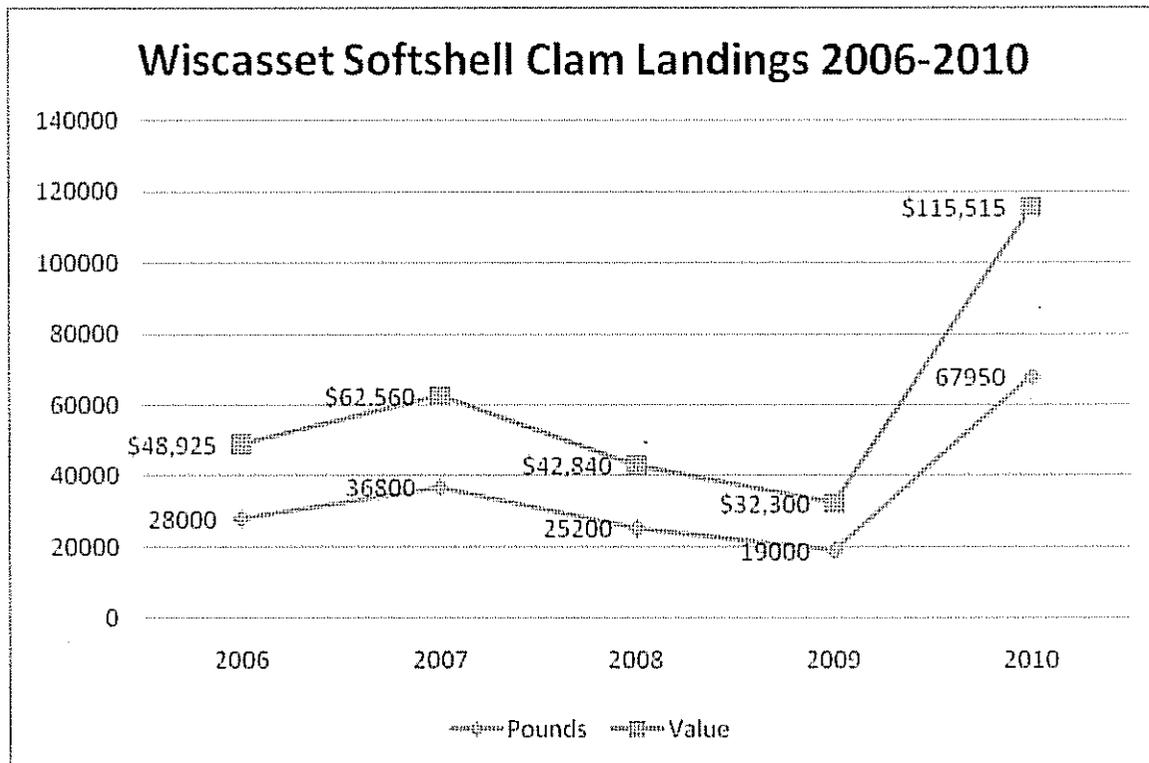


Figure 3

Lincoln County Landings

The pie charts below show the value (in dollars) of Wiscasset’s landings compared with the rest of Lincoln County. In 2008, Wiscasset harvested \$42,840 in soft-shell clams, or slightly less than 2% of the County’s harvest. This is approximately the same share of the County’s harvest as in 2002.

Waldoboro has the most tidal flat acreage in Lincoln County and half of the County’s licensed harvesters. This town accounts for the largest and highest value landings. In addition, Damariscotta and Boothbay also have high landing values. Table 1 below shows Wiscasset ranked 7th in total value of landings in the County. This is an average of almost \$3060 per digger (using 14 licenses). Meanwhile, Waldoboro, with 166 diggers, produces \$6,700 in output per digger. Interviews with clam diggers illustrate some of the underlying reasons for this difference (e.g., competing work opportunities), in addition to greater acreage and number of diggers.

Figure 4.

Value (\$) of Lincoln Co. Clam Landings by Town, 2002

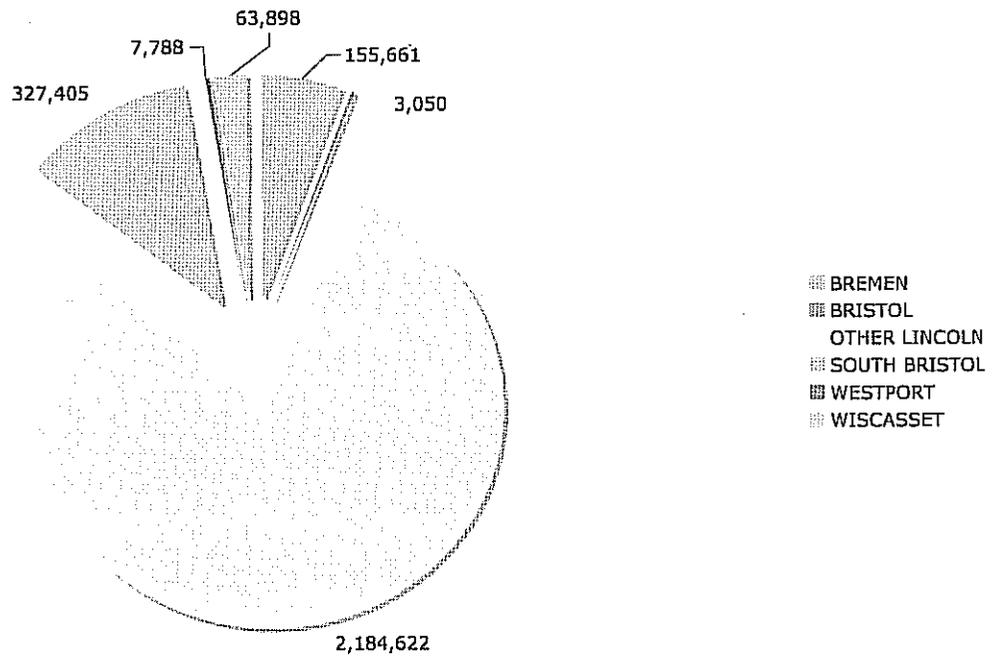


Figure 5. Value of Lincoln County Clam Landings, by Harvest area, 2008

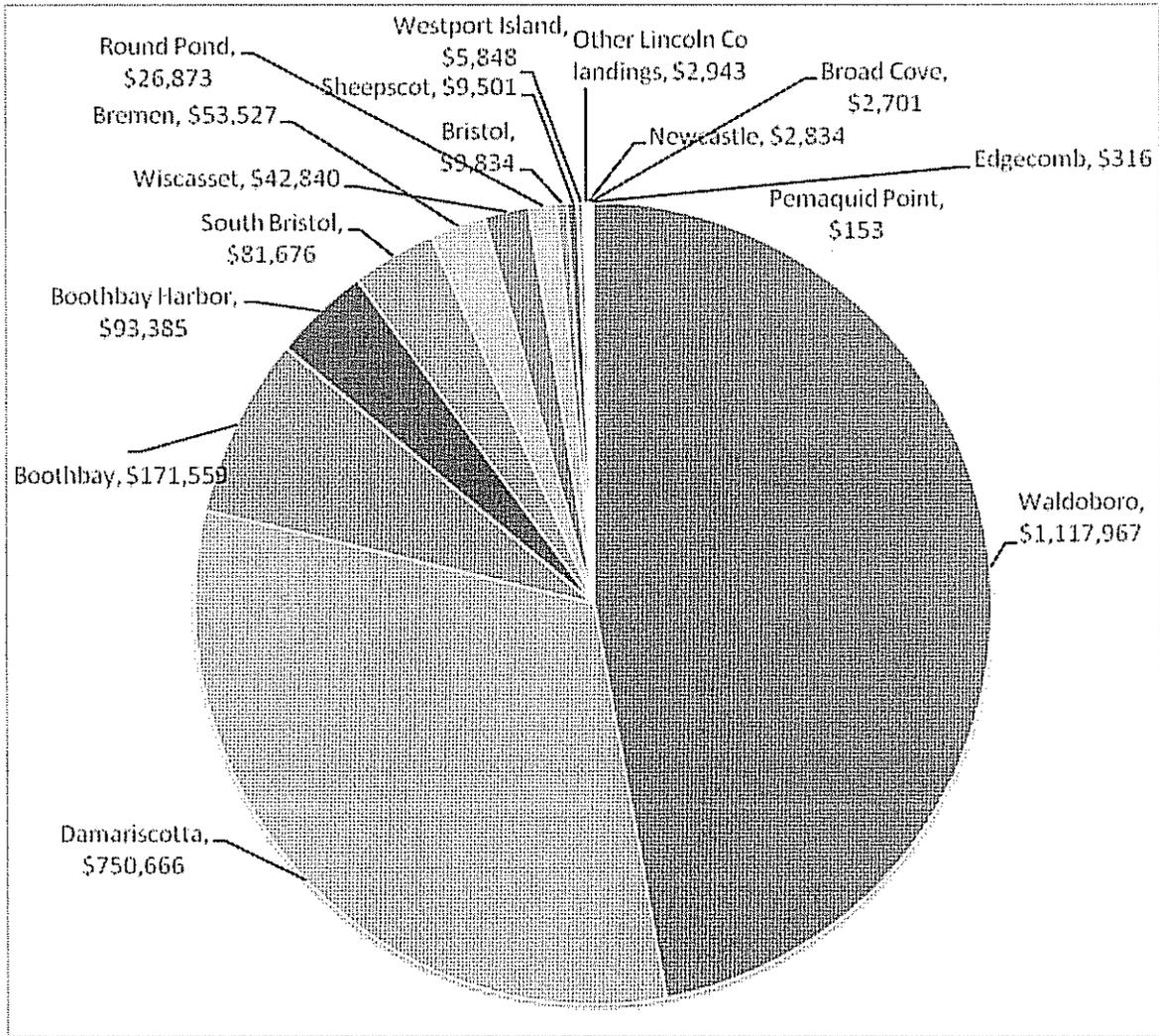


Table 1. Value of 2008 Landings, Lincoln County Towns.

Town	2008 Value (\$)
Waldoboro	\$1,117,967
Damariscotta	\$750,666
Boothbay	\$171,559
Boothbay Harbor	\$93,385
South Bristol	\$81,676
Bremen	\$53,527
Wiscasset	\$42,840
Round Pond	\$26,873
Bristol	\$9,834
Sheepscot	\$9,501
Westport Island	\$5,848
Other Lincoln Co landings	\$2,943
Newcastle	\$2,834
Broad Cove	\$2,701
Edgecomb	\$316
Pemaquid Point	\$153
Total Lincoln County	\$2,372,623

Lincoln County harvesters

In 2008, 310 commercial clam-digging licenses were issued in Lincoln County. Table 4 shows license distribution by town.

Table 2. Commercial Shellfish License Count, by Town (Lincoln County), 2009

Town	Number of Commercial Shellfish Licenses
Alna	3
Boothbay	20
Boothbay Harbor	11
Bremen	19
Bristol	25
Damariscotta	16
Dresden	1
Edgecomb	7
Jefferson	1
Newcastle	4
Nobleboro	14
South Bristol	11
Southport	2
Waldoboro	145
Whitefield	6
Wiscasset	14
Total Lincoln County	299

Athearn (2008) stated: "Given Maine's abundant coastal and marine resources, there is the potential to reverse recent declines and expand this economically and culturally important industry. Better management of shellfish areas, shellfish habitat conservation, improvements in water quality, limiting closures to only the extent necessary to protect public health, expansion of shellfish aquaculture, and marketing and promotion initiatives would enhance the economic value of the shellfish industry for the state of Maine." This applies *specifically* to soft-shell clams in Wiscasset and the rest of Lincoln County.

SECTION 2: POST-HARVEST HANDLING AND DISTRIBUTION

Most clams harvested in Wiscasset are sold outside Lincoln County. This does bring new money back into the town and county's economy. Local income earned from sales of soft-shell clams helps support local restaurants, retailers, gas stations, construction, repair services, and other local businesses. In addition, Wiscasset clam diggers are tax-paying homeowners. The local value of clam harvesting can be increased, however, if there are opportunities for processing and wholesale services.

LCEDO interviewed clam harvesters to document the current spending patterns of the industry, to illustrate market channels (how much is being sold out of town), and to begin to see the economic impact on the County and the state (see next section).

Lincoln County Economic Development Office, working with the Town of Waldoboro and local food producers, has developed a proposal to establish a facility for processing, branding, and adding value to local foods, including clams (this is now a project of Coastal Enterprises, Inc. and Real Food Institute). The majority (76%) of Maine-harvested soft-shell clams are sold live to out-of-state buyers (6% are sold live to Maine restaurants and retailers; only 18% are actually shucked in Maine before being sold out of state, according to Athearn 2008). The Town of Wiscasset could benefit from this regional enterprise, and participation and input into this effort by Wiscasset's clam harvesting community is encouraged. Like Wiscasset, Waldoboro is currently working to reopen and restore closed or depleted flats, prevent closures. If County towns and businesses were to process and brand its clams, this would generate additional income and spending, and additional jobs.

Lack of local ordinances to manage clamflats reduces the incentive to conserve and enhance the resource. Wiscasset's Shellfish Committee has had a very proactive reseeded and conservation strategy for the past several years. And, statewide, it's clear that current conservation efforts are paying off. After 5 mid-coast towns approved the George's River Regional Shellfish Management Ordinance, clam landings per digger day increased relative to the state average (Brawn, 2002). State regulations supporting local shellfish ordinances require a management plan that includes measures to conserve shellfish resources. Although some individuals could lose harvesting access to local flats, net benefits of local management in terms of resource conservation and local economic impacts, are likely to be positive. (Athearn 2008.)

SECTION 3: 2010 SURVEY OF WISCASSET CLAM DIGGERS

To document the level of local harvesting, clam sales, and spending by Wiscasset clam diggers, the impact study included confidential interviews with local diggers. The Town has 14 commercial licensed clam diggers. While this number is not sufficient for a statistically significant sample, it is a definitely meaningful group to get a sense of the issues, barriers, and opportunities for the Town's shellfish industry. (It would make sense to combine the Wiscasset data collected through these interviews and DMR landings data with Waldoboro and other towns for a county-wide analysis. The Town and LCEDO staff were aware of this potential, but also limited by time and funding).

In the summer of 2010, 11 Wiscasset clam diggers were interviewed (3 could not be reached or were unavailable for interview). Five interviews were conducted by phone, 1 at the Wiscasset Yacht Club launch, 1 at home, and 3 at CEI's office in Wiscasset. The interviewees included 9 men and 2 women, ranging in age from 17 to 62.

The attached questionnaire was adapted from Kevin Athearn's interview method developed for an economic impact/IMPLAN study of Washington and Hancock Counties clam flats. LCEDO staff

suggested some questions and obtained feedback from the Wiscasset Shellfish Committee chair and town resident Dick Forrest.

Because of the small sample, the data will not be statistically significant. However, the costs and impact of this industry can be quantified, and trade activity, employment, and spending multipliers estimated with the use of IMPLAN. The same methodology developed for the Hancock and Washington Counties study was followed.

The following are brief summaries of the responses to the survey questions. At the end of this report are the expense tables.

Wiscasset's Diggers - Summary of Interview Data

1. Length of time clam digging: Combined digging of 153 years, an average of 13.9 per clammer. The youngest had 1 to 4 years under their belts; the eldest has dug clams for 50 years.

Several have dug since before licenses were required and have had licenses since they were instituted in 1994-95.

2. It is hard to talk about clamming in Wiscasset without also talking about **worming and other water-related work or licenses**. Worming has a longer tide, takes less time to harvest more, is less competitive, and therefore more lucrative, and much less regulated. Of the 11 Wiscasset clammers (one also had a softshell clam license from Arrowsic), 6 had marine worm harvester licenses; 2 had quahog (hard shell) clam licenses; 2 were lobstermen; 1, in addition to both soft and hard shell clam digging and lobstering, scalloped, shrimped, and wormed; 1 individual catches elva (a 2" eel that migrates from the Sargasso Sea between May and June) and 1 is a Master Maine Guide with a fly fishing guide business on the East Penobscot. Only 3 local diggers had no other kind of fishing, shellfish, or other license.

Of the licensed worm diggers, one noted that he renewed the license annually mainly to keep it current so if they ever became more strictly regulated, he would always remain eligible. He used to dig worms on the side to supplement his income, and wants to retain this option. It was duly noted by several clammers that Wiscasset is the "worming capital of the world." In fact, several clammers grew up in worm-digging families and started out as worm diggers, and got into clamming to diversify.

3. Days spent digging clams in 2009

Wiscasset clammers dug between 0 (3 clammers did not dig this year) and 100 days in 2009-10. In all, the interviewees dug 391 total days and averaged 35.55 days per harvester. One noted he had simply slowed down to age, but several had come to rely on outside work due to the variable price of clams, and the need to work around other work opportunities or a full time job. The following table illustrates how clammers' longevity and how their current year's harvest was distributed seasonally.

Species	License past 5 yrs	License 2009	Days fished in 2009	Month/Season
Commercial Shellfish				
Soft-shell clam				
01	Yes	Yes	100	year round (mainly spring-fall) – occasionally winter when price jumps
02	no - 4	Yes	100	Year round
03	No	Yes	0	?
04	Yes	Yes	100	Year round
05	No - 4	Yes	0	Spring/summer
06	Yes	Yes	10	Fall
07	Yes	Yes	10	Used to be year-round, now primarily summer (july-sept), when the price is higher
08	Yes	Yes	10	Summer
09	Yes	Yes	6	July to labor Day (when he can get the highest price)
10	Yes	Yes	0	NA (Year round)
11	Yes	Yes	90	Winter/spring
12	Yes	Yes	90	June-Sept 6 days/wk; depends on price, does not go when it falls (worms instead), only when highest
Other Licenses:				
Hard clam (quahog)				
01	No	Yes	100	Summer?
02	No	Yes	?	?
12	?	Yes	?	Summer/fall, and?

Commercial fishing					
Scallops					
	02	?	?	?	Spring
Worm					
	01	Yes	Yes	100	Winter
	02	Yes	Yes	?	Spring
	03	Yes	Yes	<100	?
	05	Yes	Yes	?	Fall
	07	Yes	Yes	?	May Has had license since age 10, maintains license but has not been active
	08	Yes	Yes	100	Used to year-round
	09	Yes	Yes	1	Year round
	12	Yes	Yes	?	Year round
Lobster					
	02	Yes	Yes	?	Year round
	11	Yes	Yes	150	March-Dec
Shrimp					
	02	Yes	Yes	?	Winter-spring
Elva (eel)					
	07	Yes	Yes	?	May-June

Clammers dug a total of 426 days in 2009-10. All 12 interviewed held current licenses in 2009. All except 3 had maintained licenses for at least 5 consecutive years. One was a beginning clammer, and 2 had held licenses for 4 consecutive years and in an earlier decade but had let them lapse until 4 years ago.

Most clammers said they dug spring to fall, and preferentially in summer (July to Labor Day) when prices were highest. A few harvest year round and stressed the ability to go out when they needed to earn some money to pay bills. They all watch prices during winter, and when demand increases, increasing prices, they harvest during winter.

5. The Wiscasset Flats - Harvest location.

There is about 140 acres of clam flats in Wiscasset. The approximate acreage is provided below:

Montsweag	8 acres
Chewonki Creek	20 ac.
Maine Yankee/Bailey's Cove	30
Boone/Cushman	27
Polly Clark	50
Indian Flats	5

All diggers harvest in these various locations, depending on closures and conservation efforts. The most popular flats were: Chewonki Creek (4), Bailey's Cove at Maine Yankee (3), Monstweag Creek, Boone Cove, Polly Clark Cove, and Cushman Cove at Maine Yankee (2). Fishermen's Point was mentioned, as was Oak Island in Woolwich, when there was a reciprocity agreement between the two towns a few years ago.

Soft-Shell Clam Harvest Location	
01	Wiscasset - Cushman Cove (Maine Yankee)
02	Wiscasset - Clark Cove, Boone Cove, Bailey's Cove (Maine Yankee), Montsweag Creek, Chewonki Creek
03	Did not ask since he is not currently clamming
04	Wiscasset, Arrowsic – go by harvest size day before, move on when low
05	Wiscasset – Maine Yankee or Chewonki Creek or Fisherman Pt
06	Wiscasset - Maine Yankee
07	Wiscasset – Montsweag Cr., Chewonki Cr., Bailey Cove
08	Wiscasset – Chewonki Cr, Bailey Cr, Boone Cove
09	Wiscasset – Maine Yankee (Eaton Farm), Cushman (Boom) Cove, Monstweag Cr.
10	Wiscasset – Maine Yankee (Bailey's Cove), Polly Clark; 2-3 yrs ago, when there was reciprocity between the towns, dug Oak Island, Woolwich.
11	Wiscasset – [Sheepscot] – Polly Clark Cove, Boone's Cove (Cushman), Monstweag Cr, Bailey's Cove, Chewonki Cr (closed)

6. Distance Traveled

On average, each harvester traveled 3 miles by car to get to the clamflats, most leaving from the Wiscasset boat launch, and then 6 miles by boat (this included 2 respondents who used their boats for

lobstering and shrimping up to 40 miles offshore). Most diggers who go out by boat stay within a couple of miles.

7. Sales

All of the Wiscasset harvest is sold to dealers. Several diggers noted that they are legally not allowed to sell elsewhere, including direct to restaurants, retailers, or consumers (one digger noted that he used to sell to local restaurants before this legal restriction was passed).

Wiscasset diggers sell mainly to Parker River (4) and (Scott) Moody's (4), two large dealers located in Harpswell. One sold to Long Reach in Durham, and one former digger (whose license is still current) sold to a dealer she called "Evelyn," who was no longer in business. None sold directly to an out-of-state dealer. Most had exclusive relationships with the dealers they "dug for," while one noted that though he primarily sold to one, he also sold to different dealers.

Most diggers oriented to the south because of price, which is tied to demand. Parker River was said to pay (\$10/bushel) more than in Damariscotta or Friendship (where there are 2-3 dealers). Diggers learn the going price at each dealer through "rumor" – i.e., what others report the dealer is currently paying.

8. Bushels per tide

All 12 clambers reported a typical harvest as 2-4 bushels/tide, depending on where they dig, the quality, and how long. Wiscasset clam diggers average 2.5 bushels per tide.

About a third of the clambers work more than one tide in a day, a few work twice a day once in awhile, and about a half work only one tide

9. Price level and other opportunities

There was quite a range in the price per bushel below which clambers were likely not go out to dig, from \$35 to \$100. The average "threshold" price was \$58. Below \$35-40, it is not really worthwhile considering costs, but it also depends on the need to pay bills.

Most clambers adjust their digging schedule around tides and prices, but also around better-paying work, such as carpentry, worming or lobstering, for example, and school. The variable price prevents clamming from being the sole occupation for the diggers.

SECTION 4. ECONOMIC IMPACT ANALYSIS

The University of Maine School of Economics reviewed the most recent harvest information and the approximate level of employment to calculate the annual local economic impact of the Wiscasset clam

diggers. The table below indicates that clam diggers in Town have a total annual local economic impact, including multiplier effects of \$151,021 in economic output (i.e., revenue), 8.4 full-time, part-time and seasonal jobs, and \$65,528 in labor income. These figures were based on an economic impact (IMPLAN) model for the County, counting a 2010 value for clams harvested of \$115,515 and the number of active clam diggers in 2009.

Table 3. Annual Local Economic Impact of Wiscasset Clam Diggers

	Direct Impact	Multiplier Effects	Total Impact
Output	\$115,515	\$35,506	\$151, 021
Employment	8.0	0.4	8.4
Labor Income	\$53,696	\$11,832	\$65,528

Employment numbers in this kind of analysis are based on a “head-count” of workers, regardless of full- or part-time work. The fact that clam diggers are active for only part of the year explains the low output-per-worker ratio as well as the very low employment multiplier.

Output is the value of the products – in this case, clams – harvested by the diggers. The multiplier effects measures the additional economic output/spending generated by the clam industry. Labor income includes wages and salaries, payroll benefits and income of sole proprietors. The total impact is a relatively modest increase from direct income and employment due to the relatively small number of diggers, the seasonal nature of the work, and the fact that most all the clams are sold out of the area and not processed in Town with added value.

The quantitative analysis would be more indicative of the economic importance of this industry if more towns or a larger region were included. Due to time and funding limits, the focus on Wiscasset clam diggers provides this community with some detail about diggers’ expenses and the trade, employment and spending impacts on the local and area economy.

SECTION 5. WATER QUALITY ISSUES

Closures

Most coastal communities work hard to protect and improve water quality, but there are many circumstances out of the town’s control, such as pollution sources, state laws and regulations, etc. As Athearn (2008) discussed, there are clear benefits as well as costs of water quality protection that towns and the State need to consider. State water testing protocol has consequences in terms of

economic impact and can affect communities like Wiscasset which have a limited but high quality resource. Quantifying the impact of closures can also bring attention to the benefits of restoration and management. Wiscasset's Shellfish Committee cooperates with DMR on testing and hopes to see improvement in minimizing preventable and unnecessary closures.

For perspective on the statewide situation, Athearn devised a hypothetical statewide, week-long summer closure, using 2006 August prices in order to quantify the direct economic losses of closures (red tide, flood, etc.). He estimated that the State experienced \$2.9 million in total losses to its economy due to this closure. The widespread 2005 red tide and flood closures cost \$6 million in lost sales statewide. Total economic impact of the 2005 closures amounted to \$14.8 million in lost output and \$7.9 million in lost income. Economic losses from harvest restrictions and prohibitions on 180,000 acres of coastal waters under normal conditions was thought to be difficult to quantify but "very large."

Athearn looked at DMR landing, licenses, aquaculture permits and closure history, as well as interview data from 43 growers, harvesters, and dealers. He performed regression analysis, a statistical technique for associating causality and market channel analysis, to look at the flow of the shellfish industry from harvest to consumer, and used IMPLAN software and a regional input-output model to estimate these losses due to closures and their total impacts on the Maine economy.

As previously stated, the shellfish industry is a significant component of Maine's economy, and losses from closures are substantial. Diggers, dealers and businesses serving the industry lose sales and income. Losses during summer cause the greatest impact – a hypothetical statewide week-long closure for soft-shell clams, quahogs, and mussels would cost the state \$5.6 million - approximately \$1.1 million in lost sales/income to harvesters, \$2.9 million in lost sales to Maine businesses, and \$1.6 million in lost income (2006 dollars). The industry faces unpredictable closures, affecting small or large areas for either short or long-term. Improving water quality, limiting closures only to the extent necessary to protect public health and safety, and conservation can reduce losses and enhance the industry's long-term value.

In 2005, Lincoln County had the least number of red tide closure days (9), the second highest flood closure days (53) – overall, the second lowest total closure days (62) (Athearn 2008: 15; Table 2). Waldoboro has persistent rainfall closure problems due to nonpoint pollution sources.

As interviews with Wiscasset diggers attest, closures mean less area from which to harvest and fewer shellfish per harvester. Assuming that the clams and the harvesters are uniformly distributed, and that closed areas have no impact on open flats, the drop in landings due to closure would be directly proportional to the loss of acreage (Athearn 2008:10).

The Wiscasset flats have been closed occasionally due to pollution, and also due to planned reseeded activities. There is some uncertainty as to the causes of water quality issues, and there are ongoing discussions with DMR about testing protocol and pollution sources. Diggers report that red tide affects Wiscasset much less than southern or Downeast counties because of the current and temperatures in the Sheepscot. The Town's Shellfish Committee has an active program of re-seeding and for the past few years has experimented with spreading tons of shells across the flats to reduce acidity, protect the

juveniles, and enrich the flats. The Shellfish Committee activities seem to be improving productivity as 2010 was a record year for harvesting.

SECTION 6: CONCLUSIONS AND RECOMMENDATIONS

Wiscasset's clam flats provide income and employment to several Wiscasset residents, generating additional spending throughout Lincoln County and the mid-coast region. In most occasions, the clam income and spending is part of a combined "marine-related" job; that is, clam diggers are usually also involved in worming and lobstering, or with another profession. This holding of multiple jobs (with seasonal change) has been an effective way to earn annual incomes for these individuals and families.

Continued conservation efforts, improved testing, and reduced sources of pollution could expand or maintain the quality of clamflats, which is essential to the marketing of local clams. Because of the Town's marine heritage and current mix of restaurants and stores, residents and visitors may come to expect that local clams are available in town, either fresh or processed. While the Town's landings may not be sufficient to sustain a new local enterprise, it is possible to combine these landings with other communities's harvests to provide a good local supply for more local processing or distribution. Working with the Real Food Institute in the Waldoboro area may be one initiative among others that Wiscasset diggers could pursue, to expand local consumption and processing and keep this added-value income and spending closer to home.

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**2010 Spending Pattern
Wiscasset Clam Diggers**

Clammers	Days spent digging in 2009	Avg. bushels per tide	Fishing license fees										insurance (not health)
			clam	state clam	worm	lobster	elver	total fees	clam vessel permit fees	lobstering			
1	75	2.5	465		43						40		0
2	100	3								1100	0	15000	1200
3	0	2.5	433		50					483	35		na
4	100	3	500							500	50		0
5	0	2	260		40					300	0		0
6	10	2	300							300	0		0
7	10	2.5	300		63			115		478	30		0
8	10	2	285		40					325	0		0
9	6	2	150	135	50					335	30		0
10	0	2.5	150	130						280	30		0
11	90	3.5	150	130			600			880	15		0
12	90	2											
Total	491	2.46	4993	395	286	600	115	4981	230	1200	1200		

**2010 Spending Pattern
Wiscasset Clam Diggers**

insurance re: lobstering	clam crew payments	crew payments, lobster	clam vessel repairs maintenance	lobster vessel rep, maint	boat docking fees	mooring fee	clamming -- gas, fuel	lobster -- gas, fuel	annual clothing & gear purchases	prof services	boat payments, lease or deprec
	0		200		0		2000		985 + 350 r	0	0
	39,000		3000		0	50	0	10,000	400	150	0
	0		250		0		2000		1200	0	0
	0		1000		0		2500		2000	200	0
	0		0		0		\$10 per trip		300	280	0
	0		0		0				140	0	0
	0		30		0		50		500	200	0
	0		0		0		1000		700	0	0
	0		200		0		120		500	0	0
	0		0		0				550	250	0
1300	0	15,000	0		0		450	8000	550	250	0
				3,000 - 30,000							
1300	39000	15,000	4680				8120	18,000	7525	1330	

**2010 Spending Pattern
Wiscasset Clam Diggers**

lobster boat payments	truck payments, lease/deprec	other payments, lease or deprec	annual insur.	onshore facility expenses	other: food, meals, insect repellent, cigs, hardware, etc
	3120	0	0	0	1000
14,400	0	0	0	200	2000
	0	0	0	0	2500
	3600	0	truck 900	0	2000
	0	0	0	0	200
	0	0	0	0	0
	0	0	0	0	100
	0	0	0	0	20
	0	0	0	0	0
	0	0	0	0	0
13,500	8,280	0	0	0	270
27,900	15000	0	0	0	8090

11 other expenses for lobstering

Wiscasset, Maine Downtown Plan



May 17, 2011

Introduction

For many years, Wiscasset has made significant planning efforts towards revitalizing its historic downtown village and working waterfront. Several reports and planning documents have been created although the reports and plans resulting from these efforts were created independent of each other, there are similar recommendations consistently found in each. The planning process includes the reports and plans, and created goals, policies and strategies to outline an implementation guideline for a comprehensive downtown plan. The major conclusions that support a downtown revitalization plan include the following:

- Develop tourism, industry, business, homes and services while protecting the historic character of the Town. To do this, the Town must launch a redevelopment process with a goal to make the central village and waterfront a tourist magnet and a major driver of the tourist sector of the Town's economy.
 1. Establish intermodal transportation links- cruise, tour/ferry, boat docks, passenger rail station, and bus stop.
 2. Increase parking on Railroad Avenue- expand the ability availability of parking. This is critical to the success of the downtown revitalization plan due to the need for improved accessibility to the downtown.
 3. Passenger rail service- construct a passenger rail station north of Railroad Avenue (identified as preferred site).
- Preserve the historic nature of the village, both in terms of individual structures and overall ambience, and enhance its role as a service and cultural center for the region's residents and make it a destination for visitors.
 1. Market the village as a visitor destination point- emphasize existing village clusters (e.g. antiques, galleries, B&B's) and on regional touring themes (e.g. museum in the streets, antiquing).
- Promote and protect the availability of outdoor recreational opportunities for the Town residents and visitors.
 1. Bike/Pedestrian Trail- encourage the development of recreational facilities to meet needs of residents and visitors.
 2. Develop an economic impact study of the waterfront activities.

These conclusions have the most strongly supported themes in public surveys and have received approval from the Board of Selectmen and the Town voters, primarily through the adoption of the comprehensive plan. In fact, there is consistent mention of a renewed focus on the waterfront as a driver of the Town's economy. Plus, the downtown is identified as a designated growth area in the comprehensive plan. What the Town needs is a project that will prove to be the catalyst for downtown revitalization efforts. Through projects that will improve access, such as new parking, economic development opportunities will arise because the downtown will become more accessible.

Historic Wiscasset Overview

Earle Shettleworth, Director of the Maine Historic Preservation Commission, cites Wiscasset as one of three architecturally significant villages in the state, along with the towns of Paris Hill and Castine. Samuel Chamberlain, in his book *Towns of New England*, chose Wiscasset to represent the State of Maine. He noted that millions were spent restoring Williamsburg, while Wiscasset remains essentially intact.

Today, its abundance of classical architecture is evidenced by the inclusion of 10 structures in the Historic American Buildings Survey (HABS) of 1936 and the subsequent inclusion of five buildings listed on the National Register of Historic Buildings. In 1973, a large part of the Village/Historic District became a part of the National Register. In fact, much of the downtown area is a living field museum – and we hold the keys to its future.

The first recorded settlement at Wiscasset was in 1660 by George and John Davie. By 1740, there were 30 families at Wiscasset Point, numbering about 150 people. Wiscasset Point was one of three parishes incorporated in Pownalborough in 1760. It took the name of Wiscasset in 1802.

As Wiscasset prospered as a deep-harbor shipping port during the late 18th and 19th century, grander homes were built beyond the initial simple, smaller homes closer to the harbor. These include the Nickels-Sortwell House, the Wood-Foote House and the Governor Smith House. Other structures of note are the elegant brick courthouse, which is home to the longest continuously operating courthouse in the country; the Old Jail, in operation until the 1950s; the Wiscasset Library; the Town Common; the Sunken Garden; the Ancient Cemetery, and much more.

By the end of the Revolution to the Embargo of 1807, Wiscasset had no equal in any part of Maine as the chief shipping port east of Boston. It was a very prosperous era with so many ships registered here, that it was said you could walk from deck to deck all the way across the harbor and masts were everywhere the eye could see.

The Embargo, intended to prevent war with England, failed and Wiscasset fortunes declined from that time, as shipping dried up and creditors loomed. Now we find ourselves, generations later, again seeking new fortunes and new avenues for our community to prosper. And, as surveys have shown a number of times, the majority of townspeople consider Wiscasset's venerable history as unique and something to be proud of – and something to preserve for those that will follow after us.

This same majority understand that our historic landscape and heritage is as valuable an asset as are our schools; our still protected, deep-harbor working waterfront; our developing airport; the advent of air/rail/ferry travel with a stop in Wiscasset; and the development potential at both the Mason Station and the Maine Yankee site.

In conclusion, it would be shortsighted at best to discount the economic value of a preserved, nurtured “field museum” here in our care. Thousands of tourists stop in Wiscasset each year, through at least three seasons of the year. They used to come to see the Old Ships – we failed to preserve those. Now we have a chance to step up to the plate again - this time to preserve a greater prize – our overall historic heritage, proud and unique.

Setting and Key Issues

Setting

Wiscasset's waterfront is special and any discussion of the downtown village would not be complete without inclusion of the waterfront. Located on the Sheepscot River, approximately 14 miles inland from the ocean, few communities can boast of a deep water, working waterfront which has maintained areas of productive wildlife habitat, abundant natural and architectural beauty, and numerous historic sites. The downtown village and waterfront offers a variety of economic, scenic and recreational opportunities to visitors and residents.

The downtown village and waterfront supports an active commercial fishing trade from the Town landing, as well as opportunities for recreational boating and fishing. Spectacular views of the Sheepscot and Back Rivers and the downtown village exist from several vantage points along the waterfront. Listed in the National Register of Historic Places, the downtown village is the central hub of activity along the waterfront. Historically, this has served as the center for economic activity and expresses the historic, intimate and pedestrian charm of a small coastal community that Wiscasset is known for.

Over the years, the importance of Wiscasset as an economic center has steadily declined, while the interest in the quality of life within the town as a residential community has grown. The increase in the number of people wishing to visit or reside in Wiscasset has brought pressure on the town's ability to properly support the activities that draw people to the community. Also, the loss of Maine Yankee significantly impacted the tax base with a shift from a majority of tax dollars from commercial uses to residential. The town is now undergoing a revitalization process as we seek to retain and improve our vital economic role. The downtown village and waterfront remains one of the gems of Maine, as a place to live, work and visit. Maintaining its historic character is essential, while revitalizing its economic role in the region.

Key Issues

The comprehensive plan gives explicit guidance about the kind of attention the townspeople would like given to their downtown village and waterfront. The important issues facing the downtown village and waterfront are those which threaten its economic vitality, easy access to the water, historical image, and visual character. The following is a brief description of the key issues as identified through plans and reports.

Pedestrian

- Gaps in the sidewalk system, notably from Lee-High Street intersection to Water Street and along most of Bath Road. Poorly articulated pedestrian circulation routes, especially across Bath Road, hinder the movement of pedestrians and vehicles.
- The lack of public property in some areas restricts public access to the waterfront. This also proves to be a problem for a connected waterfront.
- Many of the sites that provide access to the waterfront are auto-oriented and not inviting to the pedestrian.

- Lack of a meaningful connection between two of the primary waterfront facilities, the town landing and the Creamery Pier. Currently, visitors and townspeople must either walk along the unimproved footpath or use a circuitous and longer route up Water Street.
- The physical separation of the waterfront by an active railroad right-of-way. State law prohibits pedestrians from walking on the railroad tracks so those wishing to walk along the shore must use an unimproved, overgrown dirt footpath between the high water line and the railroad tracks.



Vehicular

- Circulation conflicts with the railroad will periodically impede vehicular access.
- Lack of parking inhibits vehicular access for waterfront users, historical visitors and business patrons.
- Seasonal increase in the number and type of vehicles creates competition for limited parking spaces; therefore, limiting downtown village and waterfront foot traffic.
- Inefficient circulation patterns by people from out of town looking for parking adds to the congestion of village side streets.
- Seasonal traffic on Bath Road impedes attempts to cross this traffic corridor.

Parking

- Lack of adequate parking does not support the full use of available square footage of office/service/retail space.
- Fluctuation in demand creates the seasonal lack of adequate number of parking spaces, particularly in the waterfront area.
- The inefficient layout of existing parking lots contributes to the inadequate number of parking spaces.
- Appropriate signage to efficiently direct drivers to existing parking is lacking.
- Lack of dedicated parking space for boat trailers, buses and rail users creates a shortage of parking spaces for cars.

Economic

- Lack of parking impacts use of downtown village businesses by visitors and townspeople. Also, inadequate parking does not support the full use of available office/service/retail space; therefore, buildings are not realizing their full potential which increases the risk of deterioration.
- Lack of parking impacts people's ability to use and explore Wiscasset's natural and historic assets which significantly contribute to the town's economic well-being.
- The inefficient placement and overall lack of public restrooms negatively impacts people's use and enjoyment of the downtown village and waterfront.
- Existing town waterfront zoning ordinances threaten development of the downtown village and waterfront.

Visual Quality

- The town wishes to protect the impression of a small New England coastal town of predominantly 18th and 19th century architecture.
- Deterioration, modification or removal of existing historic structures, remnants and historic sites could diminish historic and visual character.
- The town lacks ordinances that protect historic landmarks and structures.
- Allowing continued indiscriminate public access into sensitive habitat areas by hikers and/or motorized vehicles will impact the habitat quality and potentially degrade visual integrity of the area.
- Physical improvements to the downtown village should be tastefully done so it enhances the historic quality of this area and its buildings.

A Downtown Village Concept

The downtown plan is consolidation of several reports and planning documents that provide a direction for downtown village and waterfront improvements. The Downtown Village Concept is developed to ensure that proposed developed conforms to an overall strategy for planning, improving and managing the downtown village and waterfront. It responds to selected issues and opportunities identified in town reports and planning documents, primarily those associated with access improvements. The following describes goals recommended to plan, improve and manage the above-mentioned area.



Accessible Downtown

For purposes of this plan, creating an accessible downtown appears to be one of the primary mechanisms that would be a catalyst for the downtown village and waterfront redevelopment. Several barriers have been identified as restricting public access, enjoyment and use of the downtown businesses. Some of these barriers have existed for many years. Changes in use and the increase in demand for waterfront access have created seasonal barriers as well. Such barriers can be reduced or eliminated either through new development, modifications or better management. Funding can be achieved through applying for private, state and federal grants. The following goals are recommended to improve enjoyment of and access to the downtown village and waterfront:

Pedestrian/Recreation

- Develop pedestrian access in areas north and south of the downtown village. This will enable the continuation of links beyond the downtown village.
- Encourage public access to shoreline areas in the development of park and recreational opportunities. Specifically, a new handicap accessible walkway should be constructed along the waterfront to create a meaningful connection between the town landing and the Creamery Pier.
- Create a brochure outlining all recreational facilities available for public access.
- Negotiate with landowners to build a pedestrian bridge to White's Island and Birch Point.
- Create a new Bath Road crosswalk to connect the municipal building with the county courthouse.
- Create a sidewalk on the south side of Tucker's Hill and fore street to connect the Lee and High Street sidewalks, the new Birch Point Bridge (if built), the Middle Street Sidewalk, and the Water Street sidewalk.
- Build a sidewalk on the west side of Bath Road connecting the Lee Street sidewalk, the municipal building, the Gardiner road sidewalk, and the Washington Street sidewalk.
- Develop a comprehensive recreation plan that includes, but is not limited to existing facilities, regional involvement, town-owned land, and an inventory of needs that could include waterfront activities, historic preservation tours, special use facilities (e.g. skate parks), trails, funding mechanisms, construction, maintenance, and operations.
- Construct public restrooms with a potable water that have more direct access to business along Bath Road and Water Street.

Transportation/Parking

- Encourage intermodal transportation links- cruise, tour/ferry boat dock, passenger rail/bus station. Encourage the State to bring passenger rail service to Wiscasset.
- Expand the availability of parking by negotiating with private property and businesses to use lots in peak tourist season.
- Negotiate with the State of Maine to construct a parking area, railroad and bus station in the Joppa Cove area (North of Railroad Avenue, South of the wastewater treatment facility).
- Attract small cruise ships to Wiscasset by initiating a marketing effort to those companies that operate in the New England/Canada range.
- Map existing public parking spaces and lots and publish a handout showing it.

- Improve the Memorial Pier to accommodate small cruise ships.
- Upgrade existing parking facilities through a clearly defined organization as part of an overall parking plan.
- Reconstruct and reconfigure Railroad Avenue to improve access and accommodate for vehicles, semi-tractor trailer delivery trucks and tour busses. Provide a pedestrian pathway along the entire access drive. Continuation of the use of Railroad Avenue by adjacent business For parking and deliveries should be addressed in final plans.

Historic/Visual Quality

- Create a program, such as museum in the streets, which will promote Wiscasset's historic assets.
- Explore the interest in local participation in the tax reimbursement program for expenditures related to preserving historic and scenic views.
- Launch an educational program that will inform townspeople and visitors about Wiscasset's unique historic and maritime heritage. Sponsor a project to prepare a narrative description of each historic building, why it's historic and what are its unique architectural features.
- Adopt a Historic Preservation Ordinance and use it to market the downtown village as a visitor destination.
- Adopt appropriate ordinances that will ensure the compatibility of new construction with the maritime, historic, cultural, and small business character of the downtown village and waterfront. Ensure that ordinances provide standards that promote a thriving downtown village and waterfront, allowing a mixed-use concept with more diversity of businesses and a strong working waterfront, serving townspeople, workers and visitors.
- Through an organized process, identify, document and prioritize the scenic features and views the townspeople and visitors value. After scenic features and views have been identified, strategies should be enacted for promoting and protecting these areas.
- Develop an economic impact study of the waterfront activities.



Wiscasset Downtown Defined

As previously stated, Wiscasset's waterfront is special and any discussion of the downtown village would not be complete without inclusion of the waterfront; therefore, the waterfront is included with the Downtown Plan. For the purpose of this Downtown Plan, the downtown village and waterfront is specifically identified on the map titled "Downtown Village and Waterfront" attached to this plan.

Partners

The following is a list of potential public and private organizations and people who could assist the town towards achieving its downtown village goals:

Wiscasset Board of Selectmen
Wiscasset Planning Board
Wiscasset Conservation Commission
Wiscasset Waterfront Committee
Wiscasset Area Chamber of Commerce
Commercial Fishermen
Recreational Water Users
Downtown Village Residents and Businesses
Maine Department of Transportation
Maine Department of Community and Economic Development
Lincoln County Historic Society

Bibliography

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Wright-Pierce Engineers. *Railroad Avenue Improvements*. April 2009.

Wiscasset Comprehensive Plan Committee. *The Comprehensive Plan for the Town of Wiscasset*. October 2006, Amended January 2008.

Stafford Business Advisors. *Town of Wiscasset, Maine Downtown Village Rail Station Site Evaluation Study*. December 2003.

Dominie, Holly and Stroudwater Design Group. *Riverfront Study*. October 1990.

10A

Form 4501

Notification: 300801435

Work Order: 1000389750

**CENTRAL MAINE POWER COMPANY
APPLICATION FOR POLE LOCATION OR UNDERGROUND LOCATION**

In the City/Town of: Wiscasset, Maine

To the: City
 Town
 County of: Lincoln, Maine

- Central Mains Power hereby applies for permission to:
 - Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.
 - Construct and maintain buried cables, conduits, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein, under, along, and across certain streets and highways in said City/Town as described below.

Central Maine Power Company and FairPoint New England jointly apply for permission to construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said City/Town as described below.

1. Starting Point: 78
2. Road (State & CMP): Alna Road (rte. 218)
3. Direction: Northerly
4. Distance: 210 feet
5. Number of Poles: 1

- Overhead wires shall have a minimum clearance of 18 feet over the public highway and be constructed to conform with the requirements of the National Electric Safety Code.
- Buried cable facilities shall be placed at a minimum depth of 36 inches under pavement and 30 inches elsewhere and be constructed to conform with the requirements of the National Electric Safety Code.

Any person, firm, or corporation to be adversely affected by this proposed location shall file a written objection with the State Department of Transportation, City, Town or County stating the cause of said objection within fourteen (14) days after the publication of this notice or ninety (90) days after installation of facilities without publication.

Public Notice of this application has been given by publishing the text of the same Not Published

In: _____
On: _____

CENTRAL MAINE POWER COMPANY

FairPoint New England

By: Mike Doughty

Date: 04/25/2011

By: Steve Polyst Date: 5/3/11

Notification: 300801435

Work Order: 1000389750

LOCATION PERMIT

Upon the Application of Center Maine Power Company and FairPoint New England

dated 04/25/2011, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the Town of Wiscasset, approximately located as follows:

- 1. Starting Point: 78
2. Road (State & CMP): Alna Road (rte. 218)
3. Direction: Northerly
4. Distance: 210 feet
5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By:
By:
By:
By:
By:
Municipal Officers

Office of the

Received and Recorded in Book, Page

Attest:
Clerk

CMP COPY

Notification: 300801435
Work Order: 1000389750

LOCATION PERMIT

Upon the Application of Center Maine Power Company and FairPoint New England

dated 04/25/2011, asking for permission, in accordance with law, to construct and maintain poles, buried cables, conduits, and transformers, together with attached facilities and appurtenances over, under, along or across certain highways and public roads in the location described in said application, permission is hereby given to construct, reconstruct, maintain and relocate in substantially the same location, said facilities and appurtenances in the Town of Wiscasset, approximately

located as follows:

- 1. Starting Point: 78
- 2. Road (State & CMP): Alna Road (rte. 218)
- 3. Direction: Northerly
- 4. Distance: 210 feet
- 5. Number of Poles: 1

Facilities shall consist of wood poles and appurtenances with a minimum of wire and cable not less than 18 feet over the public highway and/or buried cables or conduit and appurtenances placed a minimum depth of 36 inches under pavement and 30 inches elsewhere, all in a manner conforming to the National Electric Safety Code.

By: _____

By: _____

By: _____

By: _____

By: _____

Municipal Officers

Office of the _____

Received and Recorded in Book _____, Page _____

Attest: _____
Clerk

10B

TOWN OF WISCASSET
MUNICIPAL LICENSING BOARD

51 Bath Road
Wiscasset, ME 04578-4108
207-882-8200 Fax 207-882-8228

APPLICATION FOR LICENSE AS A COMMERCIAL WASTE DISPOSAL HAULER

The undersigned hereby applies for a license as a Hauler of Non-Hazardous Solid Waste within the town of Wiscasset for the licensing year ending May 31, 2012.

1. Firm or Trade Name Giles Rubbish Inc.

2. State location where business will be done Alna, Wiscasset,
Westport

3. Have you ever held a Waste Disposal Hauler License before? YES NO

If yes, where? _____

4. Have you ever been convicted of violating the Solid Waste Ordinances? YES NO

If yes, explain: _____

I warrant the truth of the foregoing statements.

Dated at Wiscasset this 6 day of MAY 2011.

Dan I. Giles - Pres.

Dan I. Giles - Pres.

Applicant's Name - Please print

Applicant's Signature

Business Mailing Address:

Address of residence:

Giles Rubbish Inc.
349 Dover Rd.
Boothbay, Me. 04537

Giles Rubbish Inc.

INCLUDE FEE: Resident: \$300.00

NON-Resident \$300.00

For Office Use

Fee Received: 5-10-11

Check No. 23354

100

14 April 2011

From: Greg Griffin, Road Commissioner

Subject: Request for Bid
Road Striping 2011
Wiscasset, Maine

The Town of Wiscasset is seeking qualified bidders for its 2011 Striping Program. The following specifications detail the design and extent of the proposed work. In order to be considered, potential bidders must complete the enclosed bid form and return it, in a sealed envelope, to the following address before 12 noon Tuesday, May 17, 2011.

2011 Road Striping Bid
Laurie A. Smith
Town Manager
Town of Wiscasset
51 Bath Road
Wiscasset, ME 04578-4108

GENERAL SCOPE OF WORK:

Painting street lines crosswalks and parking areas.

TRAFFIC CONTROL:

The Contractor shall be responsible for traffic control during the performance of work. One lane of traffic must be open at all times. As a minimum traffic control shall comply with the Manual on Uniform Traffic Control Devices (MUTCD).

INSPECTION OF WORK:

The approval and acceptance of the work by the Road Commissioner or his designated representative shall be a condition precedent to payment by the municipality.

CHARACTER OF WORKMEN, METHODS, AND EQUIPMENT:

All workmen shall have sufficient skill and experience to perform properly the work assigned to them.

Any person employed by the Contractor or by any subcontractor who, in the opinion of the Road Commissioner or his designated representative does not perform their work in a proper and skillful manner or is intemperate or disorderly, shall at the written request of the Road Commissioner or his designated representative be removed forthwith by the Contractor or subcontractor employing such person and shall not be employed again in any portion of the work without the approval of the Road Commissioner or his designated representative.

Should the Contractor fail to remove such person or persons as required above, or fail to furnish suitable and sufficient personnel for the proper prosecution of the work, the Road Commissioner may suspend the work by verbal notice until such orders are complied with.

1. All equipment which is proposed to be used on the work site, shall be of sufficient size and in such mechanical condition as to meet requirements of the work and to produce a satisfactory quality of work and to meet all safety requirements. In addition, all work and equipment shall comply with MDOT Standard Specifications. Equipment used on any portion of the project shall be such that no injury to the roadway, adjacent property, or other highways will result from its use.
2. Contractor shall be required to leave all sites where work is performed in a neat and presentable manner as determined by the Road Commissioner or his designated representative.

INSURANCE:

The Contractor, at its own expense, shall maintain adequate insurance during the performance of the work to protect the interests of the participants. This insurance shall include Contractor's public liability and property damage insurance, motor vehicle public liability and property damage insurance, and Worker's Compensation insurance. The Contractor shall hold the Town of Wiscasset harmless from any and all claims for personal injury and property damage arising out of the performance of their work. The Contractor shall provide a Certificate of Insurance naming the participants as insured parties to evidence compliance with this provision. Prior to commencement of any work, the contractor shall provide a Certificate of Insurance with a combined single minimum

limit of \$500,000 with statutory requirements for Workers Compensation and Fleet Insurance.

GUARANTEE:

The contractor guarantees that the work performed under this contract will be free from defects and flaws.

COORDINATION OF WORK:

All work shall be scheduled and coordinated with and through the Road Commissioner.

100

14 April 2011

From: Greg Griffin, Road Commissioner

Subject: Request for Bid
2011 Street Cleaning
Wiscasset, Maine

The Town of Wiscasset is seeking qualified bidders for 2011 Street Cleaning. The following specifications detail the design and extent of the proposed work. In order to be considered, potential bidders must complete the enclosed bid form and return it, in a sealed envelope, to the following address by 12 noon, Tuesday, May 17, 2011.

2011 Street Cleaning Bid
Greg Griffin
Road Commissioner
Town of Wiscasset
51 Bath Road
Wiscasset, ME 04578-4108

GENERAL SCOPE OF WORK:

Cleaning Catch Basins

TRAFFIC CONTROL:

The Contractor shall be responsible for traffic control during the performance of work. One lane of traffic must be open at all times. As a minimum traffic control shall comply with the Manual on Uniform Traffic Control Devices (MUTCD).

INSPECTION OF WORK:

All materials and every detail of the work will be subject to inspection by the Road Commissioner or his designated representative. The Road Commissioner or his designated representative shall be allowed access to all parts of the work and shall be furnished with such information and assistance by the Contractor required to make a complete and detailed inspection.

The approval and acceptance of the work by the Road Commissioner or his designated representative shall be a condition precedent to payment by the municipality.

CHARACTER OF WORKMEN, METHODS, AND EQUIPMENT:

1. The Contractor shall at all times employ sufficient superintendents, foremen, labor and equipment for prosecuting the several classes of work to full completion in the manner and time required by these specifications and contract.

All workmen shall have sufficient skill and experience to perform properly the work assigned to them.

Any person employed by the Contractor or by any subcontractor who, in the opinion of the Road Commissioner or his designated representative does not perform their work in a proper and skillful manner or is intemperate or disorderly, shall at the written request of the Road Commissioner or his designated representative be removed forthwith by the Contractor or subcontractor employing such person and shall not be employed again in any portion of the work without the approval of the Road Commissioner or his designated representative.

Should the Contractor fail to remove such person or persons as required above, or fail to furnish suitable and sufficient personnel for the proper prosecution of the work, the Road Commissioner may suspend the work by verbal notice until such orders are complied with.

2. All equipment which is proposed to be used on the work site shall be of sufficient size and in such mechanical condition as to meet requirements of the work and to produce a satisfactory quality of work and to meet all safety requirements. Equipment used on any portion of the project shall be such that no injury to the roadway, adjacent property, or other highways will result from its use.

3. Contractor shall be required to leave all sites where work is performed in a neat and presentable manner as determined by the Road Commissioner or his designated representative.

INSURANCE:

The Contractor, at its own expense, shall maintain adequate insurance during the performance of the work to protect the interests of the participants. This insurance shall include Contractor's public liability and property damage insurance, motor vehicle public liability and property damage insurance, and Worker's Compensation insurance. The Contractor shall hold the Town of Wiscasset harmless from any and all claims for personal injury and property damage arising out of the performance of their work. The Contractor shall provide a Certificate of Insurance naming the participants as insured parties to evidence compliance with this provision. Prior to commencement of any work, the contractor shall provide a Certificate of Insurance with a combined single minimum limit of \$500,000 with statutory requirements for Workers Compensation and Fleet Insurance.

COORDINATION OF WORK:

All work shall be scheduled and coordinated with and through the Road Commissioner. Work is to be performed between contract award and 30 June 2010. This schedule may be adjusted by the town to suit its needs. Working hours are 7 a.m. to 6 p.m. Monday-Friday.



STATE OF MAINE
 MAINE REVENUE SERVICES
 PO BOX 9106
 AUGUSTA, MAINE
 04332-9106

10E

H. SAWIN MILLET, JR.
 ACTING COMMISSIONER OF
 ADMINISTRATIVE & FINANCIAL SERVICES

PAUL R. LEPAGE
 GOVERNOR

JEROME D. GERARD
 ACTING EXECUTIVE DIRECTOR

Dear Assessor(s):

Public Law 2005 Chapter 2 (LD 1) provides a property tax exemption of up to the *just value* of \$10,000 for each Maine Resident's homestead. To qualify, applicants must have owned a homestead in Maine for a minimum of 12 months prior to April 1, 2011 and declare the homestead they owned on April 1st of the current tax year to be their permanent place of residence. The application for exemption must be filed with the municipal assessor where the homestead is located by April 1, 2011. **Homeowners who qualified for the exemption in 2010 and whose homestead status has not changed for 2011 need not reapply.**

Maine Revenue Services is required to estimate the amount of property tax exempted under the Homestead Exemption Program for municipalities granting exemption to qualifying residents and by **August 1** certify 75% of the estimated amount to the State of Maine Treasurer. Municipal Assessors must complete and return the attached application to Maine Revenue Services by June 1, 2011 in order for this 75% reimbursement to be calculated. The remainder or 25% of the property tax exempted will be determined upon timely receipt of their Municipal Valuation Return and payment made by July 31, 2012.

IMPORTANT REMINDERS

- ✓ The value of homestead exemptions must be included in the total municipal valuation used to determine the municipal tax rate. The municipal tax rate as finally determined may be applied to only the taxable portion of each homestead qualified.
- ✓ The homestead exemption amount must be adjusted by the municipality's certified ratio which is the same ratio used to adjust all properties and exemptions. This is the ratio you report on your Municipal Valuation Return.
- ✓ Homestead exemptions granted must be identified in the municipal valuation book. Tax bills must indicate the assessed value of a homestead before and after the homestead exemption has been applied.

If you have any questions or need additional application forms, feel free to call me at (207) 287-6939. My email address is Linda.R.Lucas@maine.gov.

Sincerely,

Linda Lucas, CMA
 Property Appraiser I
 Maine Revenue Services

RATIO DECLARATION & REIMBURSEMENT APPLICATION

Municipality of: WISCASSET

County of: LINCOLN

Developed Parcel Ratio: 98%

Filing Deadline: June 1, 2011

SECTION A: DECLARATION OF CERTIFIED RATIO

Municipal assessors are required to annually report the ratio or percentage of just value upon which local assessments are based (36 MRSA §383) Assessors must multiply the amount of the Homestead Exemption by the ratio certified pursuant to §383 to determine the proper amount of exemption to be granted. The ratio certified by local assessors should reasonably agree with the overall assessment ratio for developed parcels (residential property) determined by Maine Revenue Services in its annual audit conducted for the purpose of determining the State Valuation. Of the following boxes, please check the one box which is most appropriate for your municipality for the 2011 tax year:

We will use the developed parcel ratio determined by Maine Revenue Services of 98% as our declared certified ratio. The developed parcel ratio is a direct finding and final result of Maine Revenue Services' audit of 2009 local valuations for residential property as stated in the 2011 State Valuation.

We will use the municipality's declared 2011 certified ratio to adjust the amount of local homestead exemption. The certified ratio declared is within 10% of the developed parcel ratio (between 88.2% and 107.8%) last determined by Maine Revenue Services; or

We hereby petition to use a ratio that varies by more than 10% from the developed parcel ratio last determined by Maine Revenue Services for the following reason: (Note: No requests for a variance in ratio will be granted unless accompanied by documentation supporting the proposed change. Ratios certified outside the allowable 10% will default to the Developed Parcel Ratio.)

- A total revaluation is to be implemented for the 2011 tax year (proof required)
- A partial revaluation is to be implemented for the 2011 tax year (proof required)
- More current sales information is available which justifies a higher ratio (proof required)
- Other _____

SECTION B: HOMESTEAD PROPERTY TAX EXEMPTION INFORMATION

1. The total number of homestead exemptions granted (actual or estimated) # 970
2. We plan to use the following Certified Ratio to adjust the full just value exemptions: % 100
(see Section A above)
3. The corresponding total amount of 2011 Homestead value exempted is \$ 9,684,400
4. The 2011 municipal tax rate is .015 mils. (NOTE: If the local tax commitment is not final for 2011, use the 2010 local tax rate or an estimated rate...whichever is more accurate.)
5. The actual number of new homestead applications processed this year. # 30

SECTION C: ASSESSOR(S) SIGNATURES

We, the assessors, do state that the that the information contained on this document is, to the best knowledge and belief of this office, reported correctly, accurately and in accordance with the requirements of the law.

Date 5/17/2011
Contact Person: Susan M. Varney Phone# 882-8200 x101

PLEASE COMPLETE AND RETURN TO:
fax 287-6396

MAINE REVENUE SERVICES
PROPERTY TAX DIVISION ATTN: LINDA LUCAS
PO BOX 9106,



Town of Wiscasset

1 OF

Memorandum

To: Board of Selectmen
Fr: Town Manager
Re: Adoption of ICMA Retirement Plan
Dt: May 12, 2011

The Town Manager's contract allows for participation in the International City County Management Association (ICMA) retirement plan. Adoption of the plan will not add additional expense to the Town. The Selectmen need to adopt the attached draft resolution.

10F

SUGGESTED RESOLUTION
FOR A LEGISLATIVE BODY RELATING TO A 457 DEFERRED COMPENSATION PLAN

Account Number 30-_____

Name of Employer: _____ State: _____

Title of Program Coordinator: _____
(see definition below for duties of Program Coordinator)

Resolution of the above named Employer ("Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the establishment of a deferred compensation plan for such employees serves the interests of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of a deferred compensation plan to be administered by the ICMA Retirement Corporation serves the above objectives; and

WHEREAS, the Employer desires that its deferred compensation plan be administered by the ICMA Retirement Corporation, and that some or all of the funds held under such plan be invested in the VantageTrust Company, a trust established by public employers for the collective investment of funds held under their retirement and deferred compensation plans;

NOW THEREFORE BE IT RESOLVED that the Employer hereby adopts the deferred compensation plan (the "Plan") in the form of: (Select one)

- The ICMA Retirement Corporation Deferred Compensation Plan and Trust, referred to as Appendix A
- The plan provided by the Employer (executed copy attached hereto).

BE IT FURTHER RESOLVED that the Employer hereby executes the Declaration of Trust of the VantageTrust Company, attached hereto as Appendix B, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established by the Employer, if the assets of the plan are to be invested in the VantageTrust Company.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee, for the exclusive benefit of the Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose.

BE IT FURTHER RESOLVED that the Employer hereby agrees to serve as trustee under the Plan.

BE IT FURTHER RESOLVED that the _____ (use title of official, not name) shall be the coordinator for this program; shall receive necessary reports, notices, etc. from the ICMA Retirement Corporation or the VantageTrust Company; shall cast, on behalf of the Employer, any required votes under the VantageTrust Company; Administrative duties to carry out the plan may be assigned to the appropriate departments, and is authorized to execute all necessary agreements with ICMA Retirement Corporation incidental to the administration of the Plan.

I, _____, Clerk of the (City, County, etc.) of _____, do hereby certify that the foregoing resolution, proposed by _____, in the (Council Member, Trustee, etc.) of _____ was duly passed and adopted in the (Council, Board, etc.) of the (City, County, etc.) of _____ at regular meeting thereof assembled this ____ day of _____, 20____, by the following vote:

AYES:

NAYS:

ABSENT:

(Seal)

Clerk of the (City, County, etc.)

ICMA RETIREMENT CORPORATION
GOVERNMENTAL 457 DEFERRED COMPENSATION
AMENDMENT FOR POST-EGTRRA LEGISLATIVE AND REGULATORY CHANGES

Pursuant to Article XII of the ICMA Retirement Corporation Governmental Deferred Compensation Plan & Trust (the "Plan"), ICMA Retirement Corporation, as Plan Administrator, hereby adopts this Amendment on behalf of all adopting Employers to add a new Appendix A as follows, effective as provided therein.

Appendix A

ARTICLE I
PREAMBLE

- 1.01 **Applicability.** This Appendix memorializes the operation of the Plan in accordance with the following legislative and regulatory items.
- (a) Pension Protection Act of 2006;
 - (b) Emergency Economic Stabilization Act of 2008;
 - (c) Worker, Retiree, and Employer Recovery Act of 2008;
 - (d) Katrina Emergency Tax Relief Act of 2005; and
 - (e) Gulf Opportunity Zone Act of 2005.
- 1.02 **Superseding of Inconsistent Provisions.** This Appendix supersedes the provisions of the Plan and Adoption Agreement to the extent those provisions are inconsistent with the provisions of this Appendix.
- 1.03 **Construction.** Except as otherwise provided herein, any reference to "Section" in this Appendix refers only to sections within this Appendix and is not a reference to the Plan. The Article and Section numbering in this Appendix is solely for purposes of this Appendix and does not relate to any Plan article, section, or other numbering designations.

ARTICLE II
PENSION PROTECTION ACT OF 2006

- 2.01 **Background.** On August 17, 2006, the Pension Protection Act, Pub. L. No. 109-280 ("PPA"), became law. It amended the Code to provide for a number of changes with regard to Code section 401(a) plans and Code section 457 plans. This Article incorporates the relevant provisions of PPA into the Plan.
- 2.02 **Required Notice for Participant Distributions.** With respect to any distribution notice and election form that is, under the terms of the Plan, to be delivered 90 days before the date as of which a distribution is to be made, the window for giving Participants such distribution notices and election forms shall be extended to 180 days before the date as of which a distribution is to commence. This Section 2.02 shall be effective for calendar years beginning after December 31, 2006.
- 2.03 **Rollover by a Non-Spouse Designated Beneficiary.**
- (a) Unless otherwise elected by the Employer, for Plan Years beginning after December 31, 2006 but on or before December 31, 2009, a non-spouse Beneficiary who qualifies as a "designated beneficiary" under Code section 401(a)(9)(E) may establish an individual retirement plan that will be treated as an Inherited IRA pursuant to the provisions of Code section 402(c)(11) into which all or a portion of a death benefit distribution from this Plan can be transferred directly. A trust maintained for the benefit of one or more designated beneficiaries shall be treated in the same manner as a designated beneficiary.

- (b) Notwithstanding the election made in subsection (a), for Plan Years beginning after December 31, 2009, a non-spouse Beneficiary who qualifies as a "designated beneficiary" under Code section 401(a)(9)(E) may establish an individual retirement plan that will be treated as an Inherited IRA pursuant to the provisions of Code section 402(c)(11) into which all or a portion of a death benefit distribution from this Plan can be transferred directly. A trust maintained for the benefit of one or more designated beneficiaries shall be treated in the same manner as a designated beneficiary.
- (c) Notwithstanding anything herein to the contrary, a death benefit distribution shall not be eligible for transfer to an Inherited IRA to the extent such distribution is a required minimum distribution under Code section 401(a)(9).

2.04 Distributions for Unforeseen Financial Emergencies.

- (a) Unless otherwise elected by the Employer, after August 31, 2007, the determination of any unforeseen emergency will be expanded to include circumstances of severe financial hardship resulting from an illness or accident of a Primary Beneficiary or other similar extraordinary and unforeseeable circumstances of a Primary Beneficiary that result in a severe financial hardship.
- (b) A "Primary Beneficiary" is an individual or individuals who are named as a Beneficiary under the terms of the Plan and who have a right to all or a portion of the Participant's account balance upon the Participant's death.

2.05 Distributions for Health and Long-Term Care Insurance for Public Safety Officers.

- (a) If elected by the Employer, for Plan Years beginning after December 31, 2006, Eligible Retired Public Safety Officers may elect after separation from service to have up to \$3,000 distributed tax-free annually from the Plan in order to pay for Qualified Health Insurance Premiums for an accident or health plan (including a self-insured plan) or a qualified long-term care insurance contract. The Plan shall make such distributions directly to the provider of the accident or health plan or qualified long-term care insurance contract.
- (b) The term "Eligible Retired Public Safety Officer" means an individual who, by reason of disability or attainment of normal retirement age, is separated from service as a Public Safety Officer with the employer who maintains the eligible retirement plan from which distributions pursuant to this Article are made. The term "Public Safety Officer" has the same meaning given such term by section 1204(9)(A) of the Omnibus Crime Control and Safe Streets Act of 1968.
- (c) The term "Qualified Health Insurance Premiums" means premiums for coverage for the Eligible Retired Public Safety Officer, his spouse, and dependents, by an accident or health insurance plan or qualified long-term care insurance contract (as defined in Code section 7702(B)).

2.06 Rollovers to Roth IRAs. Effective for distributions after December 31, 2007, a Participant may elect to have any portion of an Eligible Rollover Distribution paid directly to a Roth IRA described in Code section 408A.

**ARTICLE III
EMERGENCY ECONOMIC STABILIZATION ACT OF 2008**

3.01 Background. On October 3, 2008, the Emergency Economic Stabilization Act of 2008, Pub. L. No. 110-343 ("EESA"), became law. With regard to retirement plans, EESA generally permits plans to allow repayments of certain prior qualified distributions for home purchases for participants affected by certain 2008 Midwestern severe storms, tornadoes, and flooding and to permit repayments of prior qualified distributions for home purchases. This Article incorporates the relevant provisions of EESA into the Plan.

3.02 Qualified Disaster Recovery Assistance Distributions and Repayment Thereof. The provisions relating to qualified disaster recovery assistance distributions and repayment thereof set forth in section 702 of EESA shall apply to the Plan.

- 3.03 Repayment of Prior Qualified Distributions for Home Purchases to Plan.** The provisions relating to repayment of prior qualified distributions for home purchases set forth in section 702 of EESA shall apply to the Plan.

**ARTICLE IV
WORKER, RETIREE, AND EMPLOYER RECOVERY ACT OF 2008**

- 4.01 Background.** On December 23, 2008, the Worker, Retiree, and Employer Recovery Act of 2008, Pub. L. No. 110-458 ("WRERA"), became law. WRERA amended Code section 401(a)(9) to suspend required minimum distributions for 2009. It is also possible that legislation will be enacted in the future that suspends required minimum distributions for 2010 or a later year. This Article incorporates the relevant provisions of WRERA into the Plan and describes the Plan terms that will apply in the event that required minimum distributions are suspended in a year subsequent to 2009.
- 4.02 Application of Minimum Distribution Requirements.** The minimum distribution requirements of section 401(a)(9) of the Code shall only apply to the Plan to the extent that such requirements are applicable by law for a year.
- 4.03 Special Rule for Scheduled Installment Payments.** All installment payments scheduled to be distributed to a Participant prior to the effective date of a suspension of the required minimum distribution provisions of Code section 401(a)(9) shall be distributed as scheduled unless the Participant affirmatively elects to have the payments stopped. Notwithstanding the foregoing, for purposes of this Section 4.03, the effective date of the suspension of the required minimum distribution provisions for 2009 shall be deemed January 6, 2009.

**ARTICLE V
KATRINA EMERGENCY TAX RELIEF ACT OF 2005
AND GULF OPPORTUNITY ZONE ACT OF 2005**

- 5.01 Background.** On September 23, 2005, the Katrina Emergency Tax Relief Act of 2005, Pub. L. No. 109-73 ("KETRA"), became law, and on December 21, 2005, the Gulf Opportunity Zone Act of 2005, Pub. L. No. 109-135 ("GOZA"), became law. Generally, KETRA and GOZA permit plans to allow repayments of certain prior qualified distributions for home purchases for Participants affected by Hurricanes Katrina, Rita, and/or Wilma. This Article incorporates the relevant provisions of KETRA and GOZA into the Plan.
- 5.02 Qualified Hurricane Distributions and Repayment Thereof.** The provisions relating to qualified hurricane distributions and repayment thereof set forth in section 1400Q(a) of the Code shall apply to the Plan.
- 5.03 Repayment of Prior Qualified Distributions for Home Purchases to Plan.** The provisions relating to repayment of prior qualified distributions for home purchases set forth in Code section 1400Q(b) shall apply to the Plan.

11B

207-774-1200 main
207-774-1127 facsimile
bernsteinshur.com

BERNSTEIN SHUR
COUNSELORS AT LAW

100 Middle Street
PO Box 9729
Portland, ME 04104-5029

Geoffrey H. Hole
207 228-7211 direct
ghole@bernsteinshur.com

May 11, 2011

Laurie A. Smith, Town Manager
Town of Wiscasset
51 Bath Road
Wiscasset, Maine 04578-4108

Re: Website Link Policy

Dear Laurie:

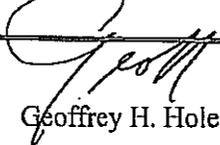
I am writing to memorialize our conversations about the proposed website link policy, which you e-mailed to me On May 4, 2011 and I have reviewed.

The policy provides categories for which the Town will provide links and categories for which the Town will not provide links. It is my suggestion that you limit the policy to areas for which the Town will provide links.

A review of the categories for which the Town will not provide links is subject to challenge because it provides a lot of opportunity for the Town to pick and choose between messages. An analogy might be a public meeting room at the Town Office: if you allow access to that meeting room by private groups for meetings and various purposes, you could not prohibit a group that wanted to meet there to discuss and advocate, for example, the use of marijuana regardless of medical necessity.

I have a couple of suggestions regarding areas for which the Town will provide links. First, in category 2, I would try to be more precise about the Town's programs and activities that are being sponsored. In category 3, I would be more precise about the nature of community service organizations by identifying those that are known and generically identifying the benefits they bring to Wiscasset.

Sincerely,



Geoffrey H. Hole

GHH/lc

Wiscasset Community Center
MEMBERSHIP INFORMATION

www.wiscassetrec.com

110

Facility Hours

Summer Hours

(May 1, 2011 – September 5, 2011)

Monday – Thursday 5:00 am – 8:00 pm
 Friday 5:00 am – 6:00 pm
 Saturday 8:00 am – 12:00 pm
 Sunday **CLOSED**

Winter Hours

(September 6, 2011 – May 28, 2012)

Monday – Thursday 5:00 am – 9:00 pm
 Friday 5:00 am – 8:00 pm
 Saturday 8:00 am – 4:00 pm
 Sunday 1:00 pm – 5:00 pm
 (Pool Closes at 8:30 pm M-R & 7:00 pm on Fri)

SHUTDOWN WEEK: Saturday, August 27th – Monday, September 5th

Membership Rates

Individuals using the WCC are required to pay a membership fee or non-member day use fee.

Also available for annual membership fees is an automatic, monthly withdrawal from your bank account.

Monthly withdrawal rate is 1/12 of the annual membership.

Annual Fees

	Resident	Non-Resident
Family	\$429.00	\$552.00
Adult	\$280.00	\$412.00
Young Adult (18-25)	\$192.00	\$280.00
Senior Citizen	\$192.00	\$280.00
Senior Couple	\$297.00	\$440.00
Youth	\$138.00	\$198.00
RSU Student	\$138.00	\$145.00

Quarterly Fees

	Resident	Non- Resident
Family	\$139.00	\$187.00
Adult	\$86.00	\$129.00
Young Adult (18-25)	\$66.00	\$95.00
Senior Citizen	\$66.00	\$95.00
Senior Couple	\$95.00	\$143.00
Youth	\$52.00	\$72.00

Monthly Fees

	Resident	Non- Resident
Family	\$77.00	\$103.00
Adult	\$51.00	\$77.00
Young Adult (18-25)	\$36.00	\$54.00
Senior Citizen	\$36.00	\$54.00
Senior Couple	\$54.00	\$86.00
Youth	\$27.00	\$41.00

Day Passes

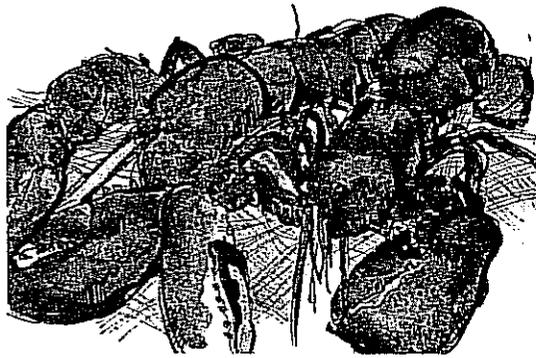
	Resident	Non- Resident
Family	\$14.00	\$18.00
Adult	\$6.00	\$8.00
Youth	\$3.00	\$5.00

**MEMBERSHIPS ARE NON-REFUNDABLE
AND NON-TRANSFERABLE**

Family: One adult or couple, dependent parents, youth and full-time college students living in the same household.

Adult: 26 years and older *Young Adult:* 18 – 25 Years old. *Youth:* Full-time high school student or 17 years or under.

Senior Citizen: 60 years and older. *Senior Couple:* One or both 60 years and older.



11D



PARADE 2011

“Waterfront Wonderland”

TOWN OF WISCASSET

PLEASE FILL OUT AND KEEP WITH YOU! Will be collected while passing judges table.

LINE-UP JULY 4TH (Monday) AFTER 10:00 – PARADE STARTS AT 11:00 A.M. SHARP.

Parade line up on Churchill Street, facing South towards Route One.

NAME/ADDRESS: _____

E-MAIL/PHONE: _____

UNIT CATEGORY (Please circle one): Float Band Walking/Marching

AWARD CATEGORIES: (If you would like your unit to be judged, please select one award category.)

Business	Non-Profit	Auto	Youth
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1ST PRIZE = \$50.00

2ND PRIZE = \$25

3RD PRIZE = \$10

WINNERS WILL BE ANNOUNCED IN THE NEXT ISSUE OF THE WISCASSET PAPER.

Laurie Smith

11 E

From: Kelley P. Wheeler <kpw@mainepoweroptions.org>
Sent: Thursday, May 12, 2011 11:18 AM
To: townmanager@wiscasset.org
Subject: Maine PowerOptions Fuel Update
Attachments: Fuel Bid Procedure 5-2011.pdf; MPO Participant Agreement Sample.pdf; Market Report .pdf

Maine
PowerOptions

PO Box 2268
Augusta, ME 04338
Phone: 207-621-0744
Fax: 1-866-618-1679

To: Laurie Smith, Wiscasset, Town of
From: Jonathan R Youde, Program Officer
jry@mainepoweroptions.org
Date: May 12, 2011
Re: Market Conditions and related Fuel bid information-2011

Maine PowerOptions has operated an annual fuel program since our inception in 1999. Each year there is some volatility and timing of the bid is difficult when trying to achieve the best possible results for our broad coalition of members.

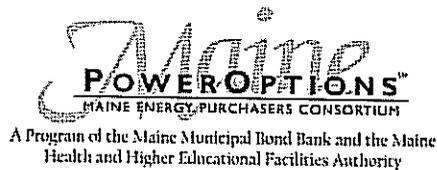
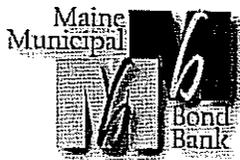
We are sending this information packet to provide participation instructions, participant agreement, potential bid timeline and a market conditions report.

The bid timeline is still being decided but our belief is we may see beneficial pricing toward the end of May (for those with contracts ending in May, we hope to have agreements in place for early June at the latest). In the bid process, Suppliers are required to submit bids before 10:00 a.m. We immediately upload bids to our webpage by 11:00 a.m. for you to review. Once you've decided to participate, send the bid commitment sheet to us (by fax or e-mail) with your selections. If the price selected is fixed we need to notify the supplier on bid day by 3:30 p.m. of these bid commitments, if the price is indexed we can wait a day or two. Once you submit your bid commitment that is your intent to abide by the participant agreement and accept the price and terms of the bid. We will follow up with a formal agreement later that week.

If you have not uploaded/input your data please do so as soon as possible or send a

spreadsheet of your current information. The estimation of your data is important as it is the only information the potential suppliers will have to go on to buy potential fuel. Please provide all the information requested regarding tank sizes, number of tanks and annual consumption.

If there are any questions please contact us as soon as possible.



Market Conditions Report and Potential Strategies

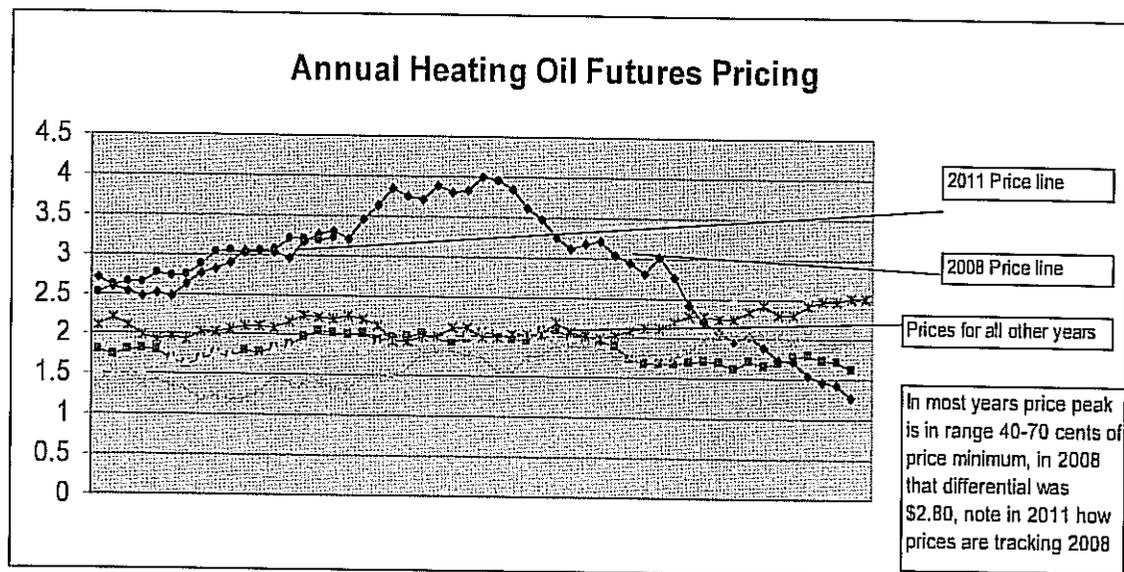
Market conditions remain volatile, in September 2010 prices for the December 2011 Heating Oil futures contract were hovering at about \$2.20/gallon (New York Harbor) which equated to about \$2.60/gallon delivered price. Since then the price has spiked to a peak (thus far in 2011) of \$3.40/gallon leading to advertised prices of \$3.70 or more per gallon. Unrest in the middle-east and a large dose of speculation drove Crude Oil to about \$114/barrel, last Thursday a market correction took place and crude oil dropped to just below \$100/barrel in the largest one day crash since 2008. There is continued analysis from several sources that the dip in price is not over yet:

The Economist (May 9th 2011) "*Demand Destruction Will Drive Oil to \$90/barrel*"

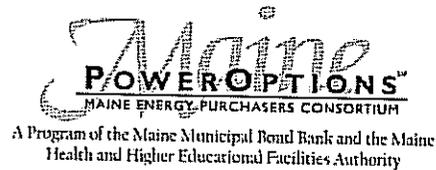
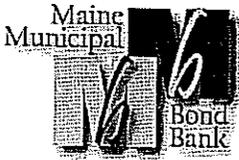
Supply is abundant and Demand has dropped significantly, Crude Oil is today trading about \$100/barrel, the Portland Harbor price for Heating Oil today is \$3.07/gallon, if you had an index price of 20c/gallon over the rack average your price would be \$3.27.

Where are we headed ? I mentioned the year 2008 above and that is important as we look at what happened then.

In 2008 prices in September 2007 prices were \$2.2/gallon and moved upwards to a price of \$3.80/gallon by June, by October 2008 those same futures prices slid back to \$2.20. The pattern between 2008 and today is amazingly similar. In the chart below I have illustrated annual price (Futures pricing from the EIA) for the past ten years.



The actual price is irrelevant, but note 2008 and 2011 tracking pricing in step, also note how most of the other years show and steady up/down pattern with minimal movement from the high to low price.



Some strategies which could be employed and the risks

Fixed Price Agreement

This is the most common type of price selection, a fixed price for the term locking in at a rate and securing that rate for the term.

Upside- Price is known, and will not change

Downside – If price drops, may be paying inflated price

Fixed price agreements cannot be changed, bought out or amended. The Supplier will provide a price for a maximum of about 6 hours and they will buy the Fuel at the price offered, they will buy the quantity of fuel requested.

64 Million Dollar Question ? Will price go up or down

Index-Price Agreement

In 2008 members taking this form of agreement saw major savings.

Two members both use about 85,000 gallons annually most in winter period, Member A took a fixed price of \$4.435/gallon and paid \$377,000 for the year, Member B took an index-price of \$0.1564 for the year and saw approximate pricing of about \$137,000 for the year.

Upside- You may see a lower price, if market continues to drop

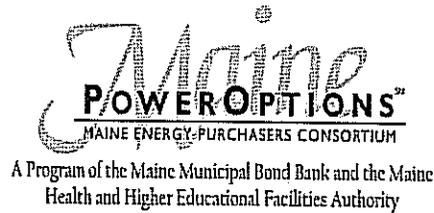
Downside- Price is not known and you could see a higher price overall if market continues to rise

You can arrange to convert an index-price to a fixed price at any time in the duration of the contract, you will also be allowed more time to decide on your option because Supplier is not buying product that day.

64 Million Dollar Question ? Will price go up or down

Combination Strategies

If you have multiple accounts one option could be to lock half of the accounts in at a fixed rate and lock half in at an index-rate.



MPO FUEL BID PROCEDURE

Maine PowerOptions' process currently contacts about 200 suppliers throughout the state, in your own community, and those specifically requested by your organization. If you would like us to contact your local supplier, please provide us with their contact information. A supplier can bid on one location or all locations.

Steps:

Members' Specifications are added to our database and an RFB is developed.

Request for Bid is distributed to suppliers who register, a supplier must register to receive the RFB

Bids are submitted by suppliers to serve each member's needs as provided through the Fuel Survey.

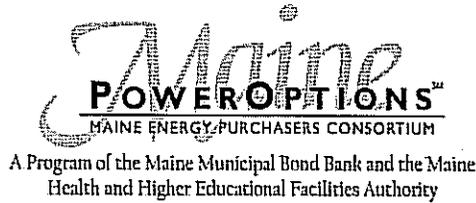
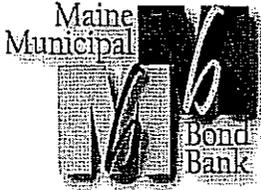
Pricing is requested for the following options:

- 1) Rack plus Mark-up
- 2) Firm Fixed Price

Bid Review & Commitment-Once you have reviewed the bids you have the opportunity to reject or accept any bid, specific bids or all bids. The bid sheets are distributed and you need to indicate which bids you are accepting, then sign and return the sheet to us before the deadline. This is your formal commitment in accepting a bid. Bids not signed or not received before the deadline cannot be accepted. We will send the bid sheets to members in the morning and will expect them back no later than 3:00 pm. We have to notify suppliers of all fixed prices prior to 3:30 pm on the day of the bid to allow them time to purchase the fuel.

Contracting-Your organization contracts with MPO's parent Authorities (Maine Health & Higher Educational Facilities Authority and Maine Municipal Bond Bank) and the Authorities in turn contract with Suppliers to meet members estimated supply needs based on the Member's bid acceptance. Contracts are reviewed by MPO's utilities and energy attorneys from Verrill and Dana. The contracting process is handled internally by MPO staff.

Contract Follow-up-MPO will provide successful suppliers with the member's contact information and specifications. Members will also be provided supplier contact information. MPO will direct suppliers to contact members prior to the contract start date. MPO will be available throughout the term of the contract to assist members and suppliers should any questions or service disputes arise. MPO also maintains data on wholesale rack pricing to verify billing when necessary.



PARTICIPANT AGREEMENT

This Agreement ("Agreement") dated this, the _____, is between the Maine Health and Higher Educational Facilities Authority or the Maine Municipal Bond Bank as determined by Maine Law ("AUTHORITY") and their energy consortium Maine PowerOptions located at P.O. Box 2268, 127 Community Drive, Augusta, ME and [MemberName] ("PARTICIPANT") located at [MemberAddress].

WHEREAS, AUTHORITY, and its non-profit energy purchasing consortium, Maine PowerOptions (MPO) offers the opportunity for the bulk purchase of fuel oil and desires to provide PARTICIPANT with such services; and

WHEREAS, The PARTICIPANT desires to participate in a cooperative bid to obtain the most favorable prices; and

THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties hereto agree as follows:

TYPE OF AGREEMENT: Firm Fixed Price or Index Price (See Attachment A)

DEFINITIONS: For purposes of this contract, the Maine Health and Higher Educational Facilities Authority, Maine Municipal Bond Bank, and their energy purchasing consortium, Maine PowerOptions will hereinafter be referred to as "the AUTHORITY". The firm(s) selected to provide products under this agreement will be referred to as the "SUPPLIERS", and the recipients of products and services under this agreement will be referred to as the "CUSTOMERS".

PERIOD OF PERFORMANCE: [ContractDates]

STATEMENT OF AGREEMENT: PARTICIPANT agrees to be bound by this Agreement for the period of performance stated above and to the terms and conditions contained herein this document.

PARTICIPATION: PARTICIPANT agrees to purchase the fuel oil products contained herein only from the SUPPLIER listed for the period of performance. PARTICIPANT agrees that the estimated usage provided will be within a 10% margin of the actual usage. If the actual usage is less than 10% than the estimated a penalty may apply. This penalty would be the difference between the NYMEX price and the market price on the contract end date and would only be applied to the number of gallons that are outside the 10% margin. If actual usage exceeds the estimate, all pricing will revert to Supplier's index rate or market rate. No penalty exists for Index-linked agreements.

INVOICES: PARTICIPANT agrees that under this Agreement, invoices from the SUPPLIER shall be paid within no more than thirty (30) days upon receipt of approved invoice.

PRICING: The PARTICIPANT agrees to pay the SUPPLIER the prices contained in the pricing schedule attached for the products listed. The AUTHORITY shall monitor pricing on a monthly basis utilizing reports such as OPIS. The AUTHORITY shall also audit SUPPLIER pricing, including cost and mark-up as requested from the PARTICIPANT, if this is a cost plus fixed markup agreement.

COMPLIANCE: The AUTHORITY, with participation from the Customer, shall monitor and evaluate SUPPLIER compliance to the terms and conditions of that Agreement throughout the period of performance.

CANCELLATION: The AUTHORITY, in its agreement with the awarded supplier(s), reserves the right to cancel any unfilled portion of this Agreement if services or materials are unsatisfactory to either the PARTICIPANT or the AUTHORITY. If the SUPPLIER shall fail to provide the necessary fuels at the contracted prices contained herein or if performance issues cannot be corrected by SUPPLIER in a time frame, the AUTHORITY reserves the right to terminate this Agreement with the supplier without any liability to the Authority or Customer whatsoever.

INDEMNITY: PARTICIPANT shall defend, indemnify and hold the AUTHORITY, its officers, directors, employees and agents harmless from all claims, suits, judgments, damages, costs or expenses, including attorneys' fees, arising out of the negligence of the PARTICIPANT, its officers, agents and employees. This obligation to indemnify shall not waive any defense, immunity or limitation of liability to parties other than the AUTHORITY which may be available to the PARTICIPANT, its officers, agents or employees, under the Maine Tort Claims Act pursuant to the provisions of 14 M.R.S.A. §§8101, et seq., or any other privileges or immunities which may be provided by law.

DISPUTES: Any disputes between a SUPPLIER and PARTICIPANT, or the AUTHORITY shall be resolved by negotiation if possible. The dispute will be submitted to a panel consisting of one representative from each party to the dispute and a representative from the AUTHORITY (whether or not a party to the dispute). Should this dispute resolution be unsuccessful, the matter will be brought before a court of competent jurisdiction of the State of Maine.

GOVERNING LAW: This Agreement shall be governed by the laws of the State of Maine.

ENTIRE AGREEMENT: This Agreement, together with all documents incorporated herein by reference, constitutes the entire agreement of the parties. Any and all oral or written communications between the parties hereto concerning the goods or services are hereby superseded.

IN WITNESS WHEREOF, The **AUTHORITIES** and **PARTICIPANT** have caused this Agreement to be executed by their duly authorized representatives as of the date first written above.

**FOR: MAINE HEALTH AND HIGHER
EDUCATIONAL FACILITIES AUTHORITY,
or MAINE MUNICIPAL BOND BANK AND
MAINE POWEROPTIONS**

FOR: Member Name

Signature

Name

Title

Date

Signature

Name

Title

Date