

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS & OVERSEERS OF THE POOR
SEPTEMBER 6, 2011

Preliminary Minutes

(tape recorded meeting)

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

1. 6 p.m. Executive Session

Judy Colby moved to enter executive session pursuant to 1 M.R.S.A. §405(6)(E) - consultation with legal counsel. Vote 5-0-0.

Pam Dunning moved to come out of executive session. Vote 5-0-0.

2. 7 p.m. Call to Order

Chair Judy Colby called the meeting to order at 7 p.m.

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

4. Approval of Treasurer's Warrant: August 23, 2011, August 30, 2011 and September 6, 2011

Ed Polewarczyk moved to approve the treasurer's warrants for August 23, August 30 and September 6 as presented. Vote 5-0-0.

5. Approval of Minutes, August 11, 2011 and August 16, 2011

Pam Dunning moved to accept the August 11 as written. Vote 4-0-1. Ed Polewarczyk moved to accept the minutes of August 16 as amended. Vote 5-0-0. Ed Polewarczyk moved to accept the August 24 minutes. Vote 4-0-1.

6. Special Presentations of Awards

A. Ceremonial Swearing-in of Troy Cline, Wiscasset's new Police Chief

Troy Cline introduced himself, his family and friends and representatives from various law enforcement agencies who were present. Chris Wolfe gave an introduction followed by Sgt. Kathy Williams who read the Code of Ethics. Cline was officially sworn in and received his badge from his father. A reception followed.

7. Appointments: None

8. Public Comment on Non-Agenda Items

George Green expressed concern over the replacement of the brick sidewalks on Federal Street following the roadwork that raised the curb above the present sidewalk. He said some residents on the street had paid for brick sidewalks and he hoped they would be raised to the level of the curb and replaced. Town Manager Smith said there was no money for sidewalks. He was advised that the state has been contacted in an effort to resolve the issue.

George Green referred to several newspaper articles about the possibility of Wiscasset High School taking in foreign students. He asked whether this should be brought up to the public in order to get their feelings. He was advised that the decision was not the selectmen's to make,

that it was up to the RSU board. He was urged to attend the RSU board meetings the first Thursday of the month in Whitefield.

Dick Grondin reported that when the RSU finance committee met, only three people from Wiscasset had attended. The attendance from Wiscasset at the annual budget meetings has been poor.

Chris Teel of Dresden, whose daughter was a tuition student at Wiscasset High school for three years, expressed concern that 73% of Wiscasset's taxes go to the school budget and hoped that Wiscasset would get its schools back.

10. Unfinished Business

A. Review draft Warrant regarding withdrawal from the RSU and appropriation of the budgeted \$5,000 for Wastewater Impact Fees

Judy Colby read the November 8, 2011 draft warrant. The three articles are: (1) to elect a moderator, (2) to appropriate \$5,000 from impact fees for wastewater system capital expenses, and (3) to ask a non-binding survey question regarding withdrawal from the RSU. **David Nichols moved to approve the November warrant.** Smith explained that the \$5,000 had been omitted from the warrant in June. Recommendations from the Budget Committee and Select Board will appear on the final warrant, followed by a public hearing before the election.

The wording of the non-binding survey question was discussed and whether a "yes" vote would necessarily mean a vote to withdraw. Judy Colby explained that if the survey question indicates that a majority of the town is in favor of beginning the withdrawal process, legal advice would be sought as a first step. In response to Chet Grover's question regarding the selectmen providing information before the vote on the warrant, Judy Colby explained the whole process, which would begin with a citizen-initiated petition, followed by involvement by the selectmen in negotiating with the RSU, and a vote on the withdrawal subject to conditions negotiated.

Ed Polewarczyk moved to amend the wording of Article 3 to read, "Shall the Town of Wiscasset vote to begin evaluating the process of withdrawal from RSU 12. Vote 5-0-0. Judy Colby moved to accept the warrant as amended. Vote 5-0-0.

11. New Business

A. Review and approve treadmill financing lease

Smith said the four-year lease option with Gorham Savings Bank provided for annual payments at 3½% interest (\$517 in interest over the four-year period). **Pam Dunning moved that the Board of Selectmen approve the attached Lease Agreement for four annual payments with Gorham Savings Bank. Vote 5-0-0.**

B. Review and approve Tax Growth Worksheet

Sue Varney, Assessors' Agent, explained the worksheet which indicated that total building permit changes were \$3,517,128; an increase in personal property of \$344,500; total record changes were \$2,104,836; total growth factor was \$4,318,837. The net value of the Maine Yankee properties is (\$2,645,917). The Growth Factor Grand Total is \$1,672,720. **Ed Polewarczyk moved that the Board of Selectmen approve the Tax Growth Worksheet as attached. Vote 5-0-0.**

C. Municipal Tax Commitment for Fiscal Year 2012

Smith explained the Draft Town of Wiscasset FY 12 Budget indicating increases and decreases over FY 11. The total mill rate for FY 12 is \$15.15, \$.35 greater than FY 11 resulting in a 2.36% increase in the mill rate. The difference is mainly due to the absence of the FY 11 education fund balance of \$219,000. **Pam Dunning moved that the Board of Selectmen authorize the proposed Tax Commitment for the Fiscal Year 2012 in the amount of \$6,790,060.32 with an overlay of \$52,865.40. Vote 5-0-0.** The figures on the tax bill were explained. There was a consensus that the bill should indicate that the school commitment was 70% of the taxes.

D. Amendment to Town Manager's Contract

Judy Colby moved to amend the Town Manager's Contract under Section 4. Residence - to extend the contract provisions by 12 months. Smith indicated her house had been on the market but to date there was no interest shown in it. **Vote 5-0-0.**

E. Review and Sign Release Deeds for Scott Connors and Julie and Robert West

Ed Polewarczyk moved to approve the release deeds for Scott Connors and Julie and Robert West. Vote 5-0-0.

12. Town Manager's Report

A. FOIA Request Policy: Smith said an FOAA policy was accepted by the selectmen on September 2, 2008, which provided for written requests and established fees. She discussed policies of other towns and their differences from Wiscasset's policy. She offered to hold a workshop if members were interested. In response to questions, she said requests should be made to the town manager.

B. Post Irene Feedback: Smith said although Wiscasset had not received the brunt of the storm, a shelter had been set up which did accommodate people from other towns. There was lack of power for 10 of the 17 pump stations. She commended the selectmen and the EMA for their work during the storm and thanked Mrs. Bickford for providing food for the emergency crew.

C. Memorial Pier Project: Delivery of materials for the project has been delayed by Irene and it is now estimated that construction will start mid to late October and be completed by December 31.

D. Tidal Study Date - late September: Because of the possible impact on fishing, the study will begin the end of September at the Westport Island bridge. A public informational meeting will be held at 6 p.m. on Tuesday, September 13, at the town office.

E. Selectmen tours: A schedule of department head tours was distributed, but because of conflicts, it will be revised.

F. Public Budget Meeting: There was a consensus that the Budget Committee hold a budget meeting for the public to express opinions on the process without selectmen involvement.

G. Tax Lien Letters: The list of tax-acquired properties was discussed and it was agreed that the over-due taxes should be pursued aggressively. All owners had been sent certified letters; some had responded and were interested in making payments. There was a consensus that the selectmen should not waive or abate taxes, as the voters had approved the interest to be charged. Ed Polewarczyk recommended attacking the properties with the highest value first and asked the town manager to bring additional information and her recommendations to the next meeting.

H. Fuel Bid Status: The County is waiting for the market to change and will put the bids out that day. Smith is waiting for the county to take action.

I. Time Warner Cable Notifications: A copy of the letter regarding the change to an all-digital format was distributed.

13. Other Board Business - None

14. Adjournment

At 9:20 p.m., David Nichols moved to adjourn the meeting. **Vote 5-0-0.**

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS & OVERSEERS OF THE POOR
SEPTEMBER 13, 2011

Preliminary Minutes

(tape recorded meeting)

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

1. Call to Order

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

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

3. Public hearing regarding the need for a Fireworks Ordinance

Town Manager Laurie Smith said the Police Chief, Fire Chief, Code Enforcement Officer and she had met to review the change in state statute on fireworks. The state statute will allow the sale and discharge of fireworks effective January 1, 2011.

CEO Rick Lang reported on his conversation with Rich Taylor at the State Fire Marshall's Office. That office is still developing fireworks laws, determining which are commercial and which are consumer fireworks, and which fireworks will be illegal, as well as working on the licensing process. This will include inspections of the building where fireworks will be sold and of the setback from other buildings. No licenses will be issued before January 1, 2012. The Federal license costs \$5,000 for the first year, \$1500 thereafter. In addition to a state license, Wiscasset Planning Board approval would be necessary if Wiscasset decides to regulate the sale and/or discharge of fireworks.

Laurie Smith said a concern was the state permitting process, which is not yet in place. Portland is considering banning fireworks; other towns are considering the issue. She said the ability to sell fireworks in Maine will come, and Route 1 is an attractive location. Smith asked if this would be a benefit to the businesses in Wiscasset. The type of fireworks allowed, noise issues and police calls for service will need to be considered. She recommended that if fireworks were to be sold, a municipal permit would be needed in order to stress requirements other than those in the state statute, e.g. checking moral character, felonies, etc. A municipal permit would allow for revocation of the permit and would allow the police and fire departments to be notified so that the locations where fireworks were to be sold could be inspected for safety and a contact person would be on record. She said the town would need to have an ordinance in place to issue permits and that whether or not the state had its process in place by the first of the year, it would be possible to create a moratorium for six months in order to prepare an ordinance for the town.

Fire Chief Rob Bickford said a municipal permitting process was his biggest concern, as it would insure that the fireworks would be discharged in a safe location. The fire department would issue permits and make inspections similar to the issuance of burning permits.

Police Chief Troy Cline said that without an ordinance in place, it would be hard for him and his officers to enforce the law.

Rick Lang said under the law fireworks can be shot off only from 9 a.m. to 10 p.m. except on December 31 and July 4 and the weekends immediately before and after when the time is extended to 12:30 a.m., and fireworks can only be discharged from the owner's property or another property with permission.

Bill Curtis said the fire and police chiefs should have the lead in this matter. He expressed concern over injuries, particularly to young children. He said the matter should be looked into thoroughly and recommended a moratorium.

Ed Polewarczyk said the town could prohibit fireworks entirely except for possession which is legal under state law. He said the board should consider whether fireworks should be sold in Wiscasset and if so for what fee. It would seem to be necessary to have the state rules before the town can establish its own. He said he would like to know what the people of Wiscasset wanted.

Pam Dunning said to allow the sale of fireworks would benefit the town, new businesses would employ local people and pay local taxes, it would attract shoppers from other towns to shop and eat in Wiscasset, and if safety measures were in place, it would be a safe business for the town.

Al Cohen recommended approving the sale and discharge of fireworks. He said the federal regulations are very strict and very specific as to the location and type of building where fireworks can be sold and the type of fireworks that are legal. He added that if Wiscasset enacted a moratorium, another town would be selling them. He suggested that the town could make the discharge of fireworks illegal in the historic district.

David Nichols recommended giving the matter to the Ordinance Review Committee; however, Laurie Smith said at the present time the ORC is involved in rewriting many of the ordinances but should be included at some point after the board has decided what directive to give them. She said that if the board decides to allow the sale and use of fireworks, then work on the permit process would include recommendations from the police and fire departments.

Smiths said several people had inquired about selling fireworks in town, but none of them, except Al Cohen, owned property in Wiscasset. Cohen said he would like to open a small store in his parking lot.

In response to a question about limiting the number of stores in town selling fireworks, Smith said that could not be done, but specifying the distance between stores was possible. She added that the lack of an ordinance would not prevent the sale of fireworks in town because the state allows it. If the town wants to regulate the sale, it should have an ordinance and permitting process in place.

Ed Polewarczyk asked whether a question could be on the November ballot, which would give the board the legislative authority to do something before a full-blown ordinance is written. Smith said the board had two legal options: a moratorium or writing an ordinance, which would give the selectmen the authority to regulate the sale and use, although the legality of that would have to be investigated. She will get legal advice on some of the questions asked before the next meeting.

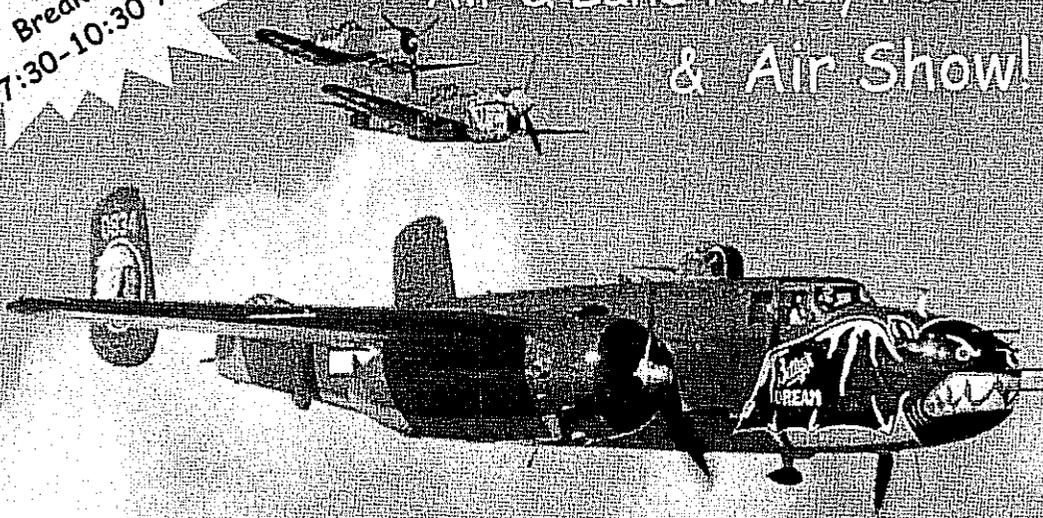
There was a consensus of the board to enact an ordinance that allows the sale and use of fireworks with a permitting process.

4. Adjournment

At 7:52 p.m., Bill Curtis moved to adjourn. Vote 5-0-0.

Pancake
Breakfast
7:30-10:30 AM

4th Annual Mid-Coast Air & Land Family Festival & Air Show!



Dates: Saturday, October 1, 2011
Location: Wiscasset Municipal Airport
Time: 7:30AM-5:00PM

Wiscasset Airport 50th Anniversary



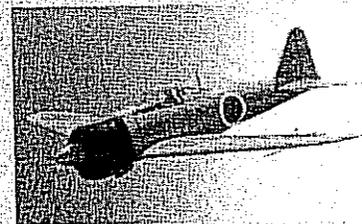
- * **The Texas Flying Legends**
All Day display followed by Aerobatic Air Show at 3PM
- * **Tuskegee Airmen Red Tail Traveling Exhibit**
- * **Young Eagles Rally**
Free plane rides-children ages 8-17
- * **CHIPS Child Identification Program**
Sponsored by the Masons of Wiscasset
- * **Touch the Trucks**
Fire trucks, dump trucks, front-loader, police cars,
ambulance, airplanes & Antique Autos



Free Admission!

*Lots of Parking!
Bring a blanket & chair!*

Sponsored by:



**WISCASSET TOWN WARRANT
STATE OF MAINE**

To Charles DiPerri, Constable, of the Town of Wiscasset in the County of Lincoln.

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Wiscasset, in said County and State, qualified by law, to vote in Town affairs to meet at the Wiscasset Community Center on Tuesday, the 8th day of November, 2011 from 8:00 A.M. until 8:00 P.M., then and there to act on the following articles:

Article 1. To elect a moderator to preside at said meeting.

And to vote by secret ballot on the following articles:

Article 2. Shall the Town appropriate the sum of \$5,000 the entire amount to come from impact fees for **Wastewater System** capital expenses?

Board of Selectmen recommendation: Favor; Oppose

Budget Committee recommendation: Favor; Oppose

Note: This amount should have been included on the June 14, 2011 Annual Town Meeting Warrant but was omitted. This amount will not increase the tax commitment as it comes from impact fees.

Article 3. **Non-Binding Referendum Question:**

Shall the Town of Wiscasset vote to begin evaluating the process of withdrawal from RSU 12?

Note: Pending on the warrant article vote, the Selectmen may seek legal advice regarding the process and procedures for RSU withdrawal.

**Town of Wiscasset
Request for Bids – Winter Sand**

The Wiscasset Board of Selectmen is requesting bids for supplying the Town's winter sand for the 2011-12 stockpile in accordance with the specifications herein contained.

Special Notice to Vendors:

1. To receive consideration, bids must be submitted on the form provided by the Town Office. Contact Lisa at 207-882-8200 x 103 for a bid form. The form may be reproduced.
2. Bids must be submitted in a sealed envelope, plainly marked on the outside: **“Winter Sand Bid”**, and shall be addressed to: **Town of Wiscasset, 51 Bath Road, Wiscasset, ME 04578** or hand-delivered to the Town Office at 51 Bath Road, Wiscasset, ME.
3. All bids must be received no later than **12:00 pm, Tuesday, September 20th, 2011**. The bids will be opened publicly at the Board of Selectmen's meeting starting at 7 p.m. Contractors, or their representatives are cordially invited to attend the opening.
4. The contract award is anticipated to be made at the Wiscasset Board of Selectmen's meeting to be held at the Wiscasset Town Hall Tuesday, September 20, 2011. The Wiscasset Board of Selectmen reserves the right to reject any or all bids, to waive any technicality or formality in the bids, and to accept any bid the Board deems to be in the best interests of the Town. The quality of the sand must be approved by the Road Commissioner.

Specifications:

1. Bids must be for sand that is **live and sharp** and screened to pass a **1/2 –inch maximum** size mesh.
2. Bids must be on a cubic yard basis for the live, sharp, screened winter sand. All bids should include delivery to the Town Garage at 42 Hodge Street, Wiscasset, Maine.
3. Availability of the live, sharp, screened winter sand is **required by Saturday, October 1, 2011**.

1 207 882 8200
X 109

TOWN of WISCSASSET
Rick Lang
Code Enforcement Office
51 Bath Road
Wiscasset, Maine 04578

codes@wiscasset.org

September 15, 2011,

Selectmen
Town of Wiscasset

Before putting the Koehling property out to bid, does the Board wish to establish a minimum bid? The following is a breakdown of taxes and expenses.

1. Taxes	Principal	\$ 20,000.00
2. Legal		8,000.00
3. Tipping Fees		<u>1,260.00</u>
		\$ 29,260.00

Thank You,
Rick Lang
Codes Office

ASSESSORS' RETURN

Pursuant to a Warrant to us directed, from John W. O'Connell, Clerk of the Court of County Commissioners for the County of Lincoln, dated the seventh day of June 2011, we have assessed the polls and estates of the Inhabitants, and the estates of the non-resident proprietors, of the Town of Wiscasset in said County, the sum of \$491,657.55 and have committed lists thereof to James H. George Collector of said town, with a warrant in due form of law, for collecting and paying the same to the Treasurer of the Town of Wiscasset or his/her successor in office, to be paid by him/her to Richard H. Newell, Treasurer of the County of Lincoln, or his successor in said office, upon his warrant issued for the same, on or before the first day of September next.

In Witness Whereof, we have hereunto set our hands this 20th day of September 2011.

Assessors of Town of Wiscasset

\$491,657.55

To: Richard H. Newell,
Treasurer of the County of Lincoln

To be filled out and forwarded to the County Treasurer as soon as the assessment shall be completed.

STATE OF MAINE

Lincoln ss

To the Assessors of the Town of Wiscasset in said County, GREETING:

Whereas, pursuant to 30-A, M.R.S.A., Section 791, the County Commissioners for said County, have fixed the sums necessary for defraying the charges of the County for the year ensuing, and exhibited by the Clerk of said Court, and have determined a tax of \$8,550,287.97,

Eight million five hundred fifty thousand two hundred eighty-seven and 97/100ths Dollars to be assessed collected and paid according to law and applied for the purposes aforesaid.

And Whereas, the Court of County Commissioners, holden at Wiscasset, in and for the County of Lincoln, by adjournment, on the seventh day of June A.D. 2011, made apportionment of said tax as the law directs upon several Towns and Cities in said County and ordered that the Clerk in said County forthwith send out warrants for assessing the Towns' proportion thereof as the law directs and for paying the same.

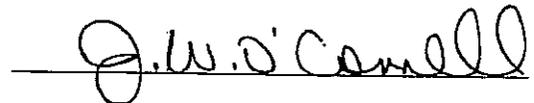
And Whereas upon a due apportionment of said sum, your Town's proportion thereof is found to be Four hundred ninety-one thousand six hundred fifty-seven and 55/100ths Dollars

\$491,657.55

You are, therefore, hereby required, in the name of the State of Maine, to assess the sum last mentioned, upon the inhabitants of said Town of Wiscasset, agreeably to the laws of said State, and cause the same in like manner to be collected and paid to the Treasurer of the said Town of Wiscasset to be paid by him to Richard H. Newell, Treasurer of Said County of Lincoln, or to his successor in office, upon his warrant issued for the same, on or before the first day of September next. *Interest payable on the thirty first day of October A.D. 2011 at annual rate of 7%* - see Title 36, Section 507 and 892A.

Whereof Fail Not, and make due return to the said County Treasurer, of the names of the person or persons to whom your list or lists of assessments shall be committed, as soon as may be thereafter.

Witness Sheridan T. Bond, Chairman of the Court of County Commissioners this Seventh day of June A.D. 2011.



John W. O'Connell
County Administrator

Copy

2011 LINCOLN COUNTY TAX COMMITMENT

MUNICIPALITIES	2011 State Valuation	2011 Tax Commitment
ALNA	\$ 81,200,000.00	\$ 86,590.59
BOOTHBAY	\$ 1,037,350,000.00	\$ 1,106,216.17
BOOTHBAY HARBOR	\$ 811,950,000.00	\$ 865,852.62
BREMEN	\$ 236,950,000.00	\$ 252,680.31
BRISTOL	\$ 1,189,200,000.00	\$ 1,268,146.98
DAMARISCOTTA	\$ 377,600,000.00	\$ 402,667.59
DRESDEN	\$ 155,800,000.00	\$ 166,143.04
EDGECOMB	\$ 245,200,000.00	\$ 261,478.00
JEFFERSON	\$ 350,600,000.00	\$ 373,875.15
MONHEGAN PLANTATION	\$ 99,200,000.00	\$ 105,785.55
NEWCASTLE	\$ 298,750,000.00	\$ 318,583.00
NOBLEBORO	\$ 326,200,000.00	\$ 347,855.32
SOMERVILLE	\$ 53,950,000.00	\$ 57,531.56
SOUTH BRISTOL	\$ 656,050,000.00	\$ 699,602.95
SOUTHPORT	\$ 689,900,000.00	\$ 735,700.13
WALDOBORO	\$ 509,850,000.00	\$ 543,697.22
WESTPORT ISLAND	\$ 234,800,000.00	\$ 250,387.58
WHITEFIELD	\$ 187,450,000.00	\$ 199,894.17
WISCASSET	\$ 461,050,000.00	\$ 491,657.55
TOTAL	\$ 8,003,050,000.00	\$ 8,534,345.49
UNORGANIZED TERRITORY	\$ 14,950,000.00	\$ 15,942.48
GRAND TOTAL	\$ 8,018,000,000.00	\$ 8,550,287.97

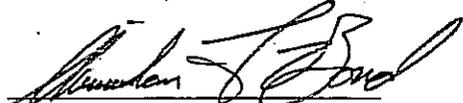
DATED AT WISCASSET, MAINE
this seventh day of June A.D. 2011

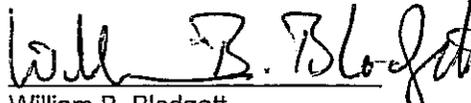
TOTAL EXPENDITURE	\$ 10,336,593.00
LESS REVENUE	\$ 1,322,335.00
2011 BUDGET	\$ 9,014,258.00
LESS SURPLUS	\$ 548,626.35
BALANCE	\$ 8,465,631.65
PLUS OVERLAY (max 2%)	\$ 84,656.32
TOTAL TO BE RAISED BY TAXATION	\$ 8,550,287.97

SURPLUS	\$ 577,501.42
TRANSFERS TO RESERVE ACCOUNTS	\$ 0.00
BALANCE OF SURPLUS	\$ 577,501.42
LESS HOLD (max 20%)	\$ 28,875.07
BALANCE OF SURPLUS AGAINST TAXES	\$ 548,626.35

TAX RATE 0.001066387

APPROVED BY:
Lincoln County Commissioners


Sheridan T. Bond, Chairman


William B. Blodgett


Lynn Gilley Orne



Town of Wiscasset

MEMORANDUM

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
Re: Mandatory Recycling ordinance
Dt: September 14, 2011

The Wiscasset voters authorized amendments to the Solid Waste Ordinance in June of this year. I have attached a copy of the new ordinance to this memorandum. In summary, the new ordinance requires the separation of recycling and waste in order to save in disposal costs. The penalty for non-separation of recyclables from unrecyclable goods is \$2.00 per bag, which is charged to the person, business or commercial hauler which brings the unrecycled waste to the facility. Although an ordinance can appear plain in its intent, the real work is in administering a new ordinance. Ron Lear, Transfer Station Superintendent and I have met on a number of occasions and also interacted with Giles Rubbish and the Police Chief to determine the best method of administering the new ordinance. My purpose in this memo is to inform the Selectmen of several items of interest and to gain agreement on the matter of daily operations and enforcement.

Implementing the New Ordinance

Over the past two months the Transfer Station staff has been educating the public as to the new recycling ordinance and the basics of recycling. This education effort included a new flyer and many one-on-one conversations with residents. Beginning on October 1st the ordinance states that anyone who does not comply will face a \$2.00 penalty per bag. We offer the following recommendations regarding the implementation of the ordinance:

- Everyone should receive one warning. If residents do not recycle their trash we would hand them a charge slip outlining the charges they would have faced. The slip will be marked with "Warning" and the warning will be recorded. After the warning, everyone would be charged the penalty in accordance with the ordinance.
- The ordinance recognizes a unit of measurement known as "bag". The question arises as to what constitutes a "bag". Some might deliver a truck full of material, not even bagged. Others might deliver a small 5 gallon bag. Whereas most will come with 15 or 30 gallon bags. For the purposes of operation staff recommends a "bag" be a 30 gallon trash bag. Operators will evaluate the amount of waste in relation to a 30 gallon trash bag and assess the fee accordingly.
- How do we measure "source separation"? The ordinance could be interpreted that there is a zero tolerance policy on materials that can be recycled mixed with trash. The staff and I agree that the purpose of the ordinance is to change behavior patterns and lower tipping fee costs. We therefore believe that we are measuring the intent of the individual to recycle. Much research into recycling shows that most households could recycle 60% to 80% of their solid waste. However,



Town of Wiscasset

most municipalities agree that average households recycle 25 to 30% of their trash. Our expectation is that households and individuals would recycle at least 25% of their trash. This means one out of four bags should be recycled materials.

Impacts on Commercial Haulers

- Commercial haulers will be responsible for fees associated with customers who don't recycle. The issue is that our station will not easily accept recycled materials from a packer truck. For this reason we will ask haulers who collect in a packer truck to deposit the recycled materials in West Bath. The Town will pay the tipping fee for the materials as we would if they were dropped at our facility.
- Commercial haulers receive materials from residences and commercial businesses alike on a given day. Some recycle using the services of the hauler, other's recycle on their own, and still others choose not to recycle. In order to calculate a "per bag" penalty staff will use averages to charge haulers based upon an evaluation of information and data from run sheets, weighed loads, and through personal knowledge of individual habits. Should these methods prove ineffective we will recommend a change to the ordinance.

We would like to remind the Selectmen, citizens, and businesses that no system is perfect. We will do our best to enforce the intent of the ordinance while continuing to educate our residents and enforce the rules in as fair and equitable a manner as possible.



Town of Wiscasset

Transfer Station Mandatory Recycling Frequently Asked Questions (FAQs)

- 1. Will I be required to purchase special bags?** No, you can use the same trash bags you currently use. This is not a pay per bag system.
- 2. Why are you charging me to dispose of my trash?** There is no fee to dispose of trash, there is however a penalty for those who do not recycle. The penalty is \$2.00 per bag.
- 3. What will I have to do to conform to the new rules?** If you are already recycling you don't have to change anything. If you are not recycling you should begin to sort your waste, depositing any materials that can be recycled into one container and your solid waste into another container. Our expectation is that you will recycle 25% or more of your trash. This means for every four bags you bring to the transfer station, one should be recyclables.
- 4. What is single stream recycling?** Single stream just means that you don't have to organize your recycled materials into different containers. All recycled materials go into one container and one location.
- 5. When does this begin?** By ordinance the change begins on October 1st. We will issue one warning per household and then you will be assessed a penalty of \$2.00 per bag if you do not recycle.
- 6. What should I do if I don't think I can recycle?** Recycling is very easy and our staff is glad to assist you by showing you what items can be recycled and where to deposit them. We also have an informational flyer which you can take home as a reference guide.
- 7. What if I don't have room to recycle?** Recycling does not take a lot of space, you can use a covered trash can outside to deposit recyclables or arrange a container in a convenient location in your home.

ARTICLE V - SOLID WASTE [3-94]

1. GENERAL PROVISIONS

1.1 No person shall accumulate or permit to accumulate on private property or on any public way in the Town of Wiscasset garbage, rubbish or other waste materials except earth fill material. Except, however, it is permissible to accumulate garbage, rubbish and other waste materials upon private property in such limited quantities and for such limited periods of time as shall insure that no annoyance, nuisance, health or fire hazard is created thereby. Compost piles or covered subsurface packaged garbage decomposing units are permitted so long as no annoyance, nuisance, ground or surface water pollution or any other health hazard is created thereby. Any unauthorized accumulation of garbage, refuse, rubbish, or other waste materials within thirty days after the effective date of this Ordinance shall be deemed a violation of this Ordinance.

1.2 No person shall dump or dispose of any refuse or garbage upon any shore or in any harbor or upon any waters within or adjacent to the Town of Wiscasset providing that this Section shall not apply to licensed sewage systems.

1.3 No person shall allow any refuse or garbage to be scattered from any vehicle onto any public way.

1.4 It shall be unlawful for any person to burn or incinerate any garbage or refuse within the Town of Wiscasset. However, this Section does not forbid the burning of any materials being used as fuel in a furnace, boiler, fireplace, stove or cooking device. This Section shall not apply to burning authorized by the Fire Chief and at any town solid waste facility, nor to any burning conducted under the direction of, or permit granted by, the fire department of the Town of Wiscasset.

1.5 The separation and recycling of materials saves in disposal costs, conserves materials, energy, and natural resources, and has a long term desirable effect on the environment. In order to increase participation in recycling, and thereby make solid waste handling, processing, and disposal more effective and less costly, this article makes source separation mandatory effective on October 1, 2011. [6-11]

2. TOWN SOLID WASTE FACILITIES

2.1 The Selectmen shall designate one or more suitable places as town solid waste facilities, but no place shall be designated as a town solid waste facility, the location of which has been disapproved by the inhabitants in a town meeting.

2.2 The Selectmen shall appoint and supervise a superintendent of solid waste for the Town of Wiscasset who shall, in turn, be responsible to supervise all personnel assigned to any solid waste facility in the Town of Wiscasset.

2.3 The Selectmen shall see that all town solid waste facilities are treated, when needed, with proper pest exterminating agents.

2.4 No person shall deposit any materials at the town solid waste facilities except in compliance with this Ordinance and pursuant to the instructions of the Selectmen or the attendant in charge.

2.5 No person may deposit at the town solid waste facilities automobile bodies or any bulky wastes, which may require special processing prior to disposal.

2.6 The town solid waste facilities shall be available only to persons residing within the limits of the Town of Wiscasset, or other municipalities authorized by contract, commercial establishments located within those towns, and haulers licensed by the Town of Wiscasset pursuant to this Ordinance.

2.7 No person shall dispose at the town solid waste facilities any garbage, rubbish, waste materials or other substances brought from outside the boundaries of the Town of Wiscasset or other municipalities authorized by contract.

2.8 The Selectmen shall designate, by the posting of suitable signs, areas of the solid waste facilities where different kinds of waste materials shall be deposited.

2.9 The Selectmen shall designate the hours for refuse disposal and shall post the hours at the town solid waste facilities.

2.10 Deposit of dead animals is prohibited in any solid waste facility.

3. PERMITS

3.1 All persons using the town solid waste facilities must display valid permits affixed to their vehicles. Permits will be issued at the solid waste facility on proof of residency or ownership of a commercial establishment. The resident or commercial establishment to whom the permit is issued is the permit holder.

3.2 Any permit holder who loses or misplaces a permit must report the same immediately to the solid waste facility.

3.3 If a vehicle displaying a permit or the occupants thereof violate this Ordinance, regardless of whether the permit holder consented or knew of the violation, the permit holder is in violation of this Ordinance, unless the permit holder had previously reported the loss of his permit to the solid waste facility.

4. HAULERS

4.1 No person shall, for hire, collect, haul, transport or dispose of waste materials for disposal at the Town of Wiscasset solid waste facilities without first

obtaining a license therefor from the Selectmen. Such licenses shall be issued for a period of not more than one year.

4.2 Any person or commercial establishment desiring a hauling license shall submit to the Town Office a written application by May 1 each year. Licenses shall be valid from June 1 to May 31 the following year. The application fee shall be ten dollars for residents of Wiscasset and those towns authorized to use the transfer station; for others the fee is thirty dollars. The Selectmen may conduct an investigation of the applicant. The Selectmen, after notice to the applicant, shall hold a public hearing for new applicants. Licenses maybe refused, and the Selectmen reserve the right to limit the number of licenses issued.

4.3 The Selectmen may revoke the license of any hauler who fails to comply with any provision of this Ordinance. No license shall be revoked until the Selectmen, after reasonable notice to the hauler, hold a public hearing on the matter.

5. PENALTIES AND REPEAL

5.1 The penalty for non-separation of recyclables from unrecyclable goods shall be \$2.00 per bag. The fine shall be charged to and payable by the person, business or commercial hauler which brings the unrecycled waste to the facility to be disposed of. In addition, such person shall reimburse the Town for all expenses incurred by the Town as a result of the violation. [6-11]

5.2 Whoever violates any other provisions of this Ordinance shall be punished by a fine of not less than \$50 and not more than \$200 plus costs of prosecution, which fine shall be recovered on complaint to the use of the Town of Wiscasset, or by imprisonment for not more than three months. In addition, such person shall reimburse the Town for all expenses incurred by the Town as a result of the violation.

5.2 Any licensed hauler who violates any provision of this Ordinance shall be subject to revocation of his license.

5.3 Any permit holder who violates any provision of this Ordinance shall be subject to revocation of his permit.

5.4 The Selectmen are authorized to prosecute violations of the preceding regulations, and are hereby authorized to remove at the expense of the owner of the property any pile of garbage, refuse or waste matter, accumulated on any property which after 24 hours notice has not been removed.

6. VALIDITY/SEVERABILITY CLAUSE

If any part of this Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remainder of this Ordinance.



Town of Wiscasset

MEMORANDUM

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
Re: US Fish and Wildlife BIG grant
Dt: September 13, 2011

I received a call from Kevin Rousseau of the Maine Department of Transportation last week. Kevin works with communities seeking funds for the Small Harbor Improvement Grants (SHIP). Kevin informed me that DOT was reviewing possible candidates for the annual U.S. Fish and Wildlife Service's Boating Infrastructure Grant (BIG) program. The program is funded through boating fuel excise taxes and the U.S. Fish and Wildlife award funding to the State of Maine each to be used on a recreational boating project. Normally the State reviews the previous SHIP grant applications and chooses a municipal project which was not able to be funded previously. The requirements of the grant are that the project be for recreational transitory boating and there is a 25% match. The grant is in the amount of \$100,000 with a local match of \$33,333.33 for a total maximum amount of \$133,333.33 (75% BIG/ 25% Local).

Peter Dalton, Greg Griffin, and I met with Kevin Rousseau on Friday morning to review a possible project with the recreational pier. Last budget year the recreational pier was listed in the Capital Improvement Program as a need. We agreed that necessary improvements included work on the framing of the pier, decking, a railing (required by our insurance), improved electrical and water service, and the replacement of dolphins and fender pilings. Kevin stated at that time that he would need to receive approval from the DOT Commissioner before we could proceed. I am pleased to announce that Monday evening I received word that the Maine Department of Transportation has selected a project at the Town of Wiscasset's Recreational Pier for submission to the U.S. Fish and Wildlife Service's Boating Infrastructure Grant (BIG) program.

DOT must submit to U.S. Fish and Wildlife a project placeholder before September 20, 2011, therefore, they are requesting our project information as soon as possible. I will be submitting a project request document to them by Thursday, September 15th.

Our 25% match will need to be addressed prior to the start of construction which will likely take place in the summer or fall of 2012. We currently have approximately \$23,000 remaining in our waterfront fund and the remaining \$10,000 could come from our Capital Improvement reserve fund next budget cycle.

Town of Wiscasset
Board/Committee Membership Form

Full Name: CLIFFORD VINCENT HENDRICKS

Mailing Address/Street Address: 67 CLARK DRIVE

Home Telephone: 882-7243 Work Telephone: _____ E-mail: SHIPYARD61@YAHOO.CO.

Occupation: SYSTEM ENG.

I wish to be considered for appointment to the:

BUDGET COMM.

Name of Board/Committee

Full member: Alternate member: _____

Do you currently serve or have you ever served on any Town Board or Committee? NO

If yes, please state which Board or Committee with term-expiration. N/A

List civic organizations to which you belong now: _____

Prior experience, knowledge, or abilities that you have which would contribute to the activities of the Board or Committee: _____

Date: 1 Sep 2011 Signature: *Clifford Hendricks*
Additional comments can be made on the reverse side of this form.

Please return to the Selectmen's Office, 51 Bath Road, Wiscasset, ME 04578-4108

For Office Use:
Date received: _____ Date appointed: _____

Term of appointment: _____



PEMAQUID CHAPTER, NSDAR

Please find enclosed 2 proclamations
re "Constitution Week" September 17-23 2011.

Pemaquid Chapter National Society Daughters of
the American Revolution is collecting these to celebrate
the Two Hundred Twenty-fourth Anniversary of the
drafting of the Constitution of the United States of
America.

Please join us again this year. Sign both
copies. Post one at your office and Return the
other one to me in enclosed envelope. Please
also affix your Town seal.

If you should place an article in local
newspaper regarding this week long celebration -
Could you please mention that this is sponsored
by Pemaquid Chapter, NSDAR. We get credit at the
State Level of the Maine State Organization Daughters
of the American Revolution

Thank, you

Sincerely
Lucille Brown Regent "Constitution
Week" Chairman
Pemaquid Chapter, NSDAR
Phone # 623-8790



National Society Daughters of the American Revolution

CONSTITUTION WEEK

September 17-23, 2011

WHEREAS: September 17, 2011, marks the two hundred twenty fourth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebration which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, _____ by virtue of the authority vested in me as (Governor or Mayor) of the State or City) of _____ (in the City of) _____ do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK**

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the (State or City) to be affixed the _____ day of _____ of the year of our Lord two thousand and *ELEVEN*

Signed _____

SEAL

attest _____



Paul R. LePage
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



George C. Gervais
COMMISSIONER

September 13, 2011

Laurie Smith
Town of Wiscasset
51 Bath Road
Wiscasset, ME 04578-4108

Dear Ms. Smith:

I regret to inform you that your application for a 2011 Communities for Maine's Future (CFMF) program award has not been selected to receive funding.

The Office of Community Development received 32 applications, with 11 projects receiving invitations to proceed in the project development phase process. Requests for CFMF program funds totaled \$8,560,138 and awards totaled \$3,500,000.

Thank you for your interest in the 2011 Communities for Maine's Future grant program.

Sincerely,

Deborah Johnson, Deputy Director
Office of Community Development

DJ/sjb