

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
JANUARY 17, 2012

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. Approval of Treasurer's Warrant: January 10, 2012 and January 17, 2012

**David Nichols moved to approve the Treasurer's Warrant of January 10, 2012. Vote 5-0-0.
David Nichols moved to approve the Treasurer's warrant of January 17, 2012. Vote 5-0-0.**

4. Approval of Minutes: January 3 and January 10, 2012

**Ed Polewarczyk moved to approve the minutes of January 3, 2012. Vote 5-0-0.
David Nichols moved to approve the minutes of January 10, 2012. Vote 5-0-0.**

5. Special Presentations or Awards

A. Daniel Lay of H. M. Payson to present the Annual Investment Report

Lay said that in accordance with the policies approved by the board the previous year governing the endowment and reserve funds; Payson had invested 65% of the endowment fund in equities, 24% in fixed income funds and 11% in cash and equivalents. The ending market value of the endowment fund as of 12/31/11 was \$2,212,316.61. The reserve fund is invested in fixed income (50%), equity (35%), and cash and equivalent (15%). The ending market value of the reserve fund was \$10,289,360.72. Lay explained the company's investment strategies and explained in detail the asset allocations, sector diversification and equity characteristics. Ed Polewarczyk noted that the reserve fund had more than made up the amount taken out for the capital improvement program.

7. Public Comment - None

8. Department Head or Committee Chair Report

A. Ice Rink Update from Todd Souza

Souza reported that \$4,000 had been raised for the ice rink and he thanked the donors. The rink has been ordered and should arrive at the end of the next week. With help from the Public Works Department and the snowmobile club in constructing the rink, Souza hopes to open the rink by February 4, the date of Winterfest. The Winterfest celebration will include ice skating, fireworks and a spaghetti supper. Souza also reported on the two-week free trial membership offered at the Community Center that has attracted 180 families or individuals, 76 of whom have never had a membership.

B. Ervin Deck, Airport Manager, regarding Airport Business Plan

Deck presented three scenarios for the management of the airport: Privately Operated FBO, Town Operated FBO, and Full Time Airport Manager. He explained the advantages and

disadvantages of each with a revenue and expense summary. The Airport Committee recommended the Town Operated FBO option. Deck projected that the privately operated FBO would have a \$12,000 deficit; the town operated FBO would have a higher revenue on fuel sales, tie downs and rent and a projected shortfall of \$4,790; the full-time airport manager, which may be necessary to better position the airport for the future, would see a deficit of \$54,442. Deck reminded the board that the airport brings in \$20,000 in property taxes and while this sum is not transferred to the airport account, it should be considered in making decisions about the airport. Although David Stapp, the former FBO, would stay on to rent aircraft and give flying lessons, that connection would cease if an FBO were hired. Stapp is currently paying \$300 per month for one office. Bill Curtis recommended that Deck contact the Fryeburg, Lewiston-Auburn and Oxford airports to see what salary is being paid to their airport managers. In response to questions, Smith said the big change with the town operating as FBO would be increased revenue from fuel sales, but expenses would increase with the cost of heating oil and electricity. **Ed Polewarczyk moved to continue to operate without an FBO for the rest of the fiscal year, but continue to accept proposals from potential FBOs and come back at budgetary times with a town-owned FBO budget. Vote 5-0-0.**

7. Unfinished Business

A. Roland Abbott, Ambulance Director, regarding Superintendent's building and the future of Wiscasset Emergency Management Services

Abbott said it would be more cost effective to build a new garage for the EMS than to renovate the current garage on the former school superintendent's property. He estimated that it would cost approximately \$75,000 to \$100,000 to build and outfit a new 2400 sq. ft. garage, \$3,500 to renovate the Wyman house (relocating kitchen adding a shower stall, cleaning and painting) and \$8,500 for annual operating expenses (heat, water, sewer, electricity and maintenance products). In response to Bill Curtis's question, Abbott said he had investigated Department of Agriculture rural development grants, although the requirements may be too strict to fulfill. Curtis asked for a management forecast. Abbott said that although income fluctuates each year, he could provide a graphic profile on runs.

Laurie Smith said there were two options: to move the service to the property (Abbott had provided costs to upgrade the facility), or selling the property, the assessed value for which had been provided (one acre \$173,000, or three acres and the garage \$250,000). Reasons for the move are that both the ambulance and fire departments need more room – for training, a secure environment, room for sex-segregated sleeping accommodations, secure place for medical supplies, and a more favorable location on Route 27, which is less congested than the current location on Route 1. Although from a programming perspective, the move makes sense, Smith said, from an expense perspective, the move would be not only a capital expense but operational costs would increase. The EMS receives 50% of what it bills and it was suggested that a consortium be formed with Edgecomb, Alna, and Westport Island. Judy Colby recommended that the selectmen look at the Wyman property for the ambulance service during the capital improvement discussion. **Pam Dunning moved that if the move is not a high priority in the capital improvement budget, the property will be put up for sale. Vote 4-1-0.**

B. Budget Committee recommendations regarding the Maine Art Gallery, Superintendent's building and the Scout Hall

Dale Skillins provided a brief history of the connection between the American Legion and the scouts since the old fire station was converted to Scout Hall. He said the legion could no longer afford to keep up maintenance on the building but at the same time, it did not want to lose the scouting program. The Budget Committee had recommended that the town give the building to the scouts with the caveat that it be returned to the town when no longer needed by the scouts. The \$4,000 per year in heat, electricity and sewer costs would be the legion's responsibility.

Because the legion could not afford maintenance on the building, it was recommended that the town continue to support and maintain the building.

Ronn Orenstein, speaking for the Wiscasset Art Gallery, in response to the Budget Committee's recommendation, said the gallery is not interested in moving, and it would be concerned with losing equity if it were to give the building back to the town as stated in the recommendation. He also said that if the gallery owned the building, it would be easier to obtain grants. The gallery has received a renovation grant that would cover replacing the bell tower and roof contingent upon the gallery owning the building. There was a consensus that the board follow the Budget Committee's recommendation that ownership of the building be returned to the town when no longer needed by the gallery without reimbursing the gallery for any improvements it had made to the building. Orenstein said he would take the selectmen's comments back to his board.

10. New Business - none

11. Town Manager's Report

A. Wiscasset Route One Discussions with DOT: Memos from Gerry Audibert regarding a summary of the December 12, 2011 meeting and a Road Safety Audit had been provided to the board. Audibert recommended that board members and local business owners accompany him to crash locations to provide local information. Bill Curtis and Ed Polewarczyk volunteered.

B. Insurance Services Office: Smith said she had attempted to set a date for a public meeting with the Insurance Services Office regarding the new classification rating but had not heard back from the Insurance Services Office.

C. Meeting on January 31 regarding Mason Station properties: The board will meet on January 31 at 7 p.m. for a workshop regarding Mason Station properties.

D. LCTV request for capital funding: The Board received a letter from John Emerson, LCTV board of directors, asking if the select board would be interested in assisting LCTV in capital upgrades using PEG money the town had received from the cable company. He has also contacted other Lincoln County towns. Smith will invite Mary Ellen at LCTV to attend a board meeting with additional information.

E. Montsweag Brook Parcel letter: The selectmen were given a copy of Smith's letter to CMP indicating the town's desire to acquire the Montsweag Brook compensation parcel.

F. General Update: Issues with the retirement plan had been resolved, employees will be indicating their retirement options and funds will be sent to the Maine State Retirement Fund. The updated selectmen's 2011 goals and a list of challenges for this year were distributed in preparation for the 7 p.m. January 24 meeting. The monthly report was also made available.

12. Other Business - None

13. Adjournment

At 9:30 p.m., Pam Dunning moved to adjourn. Vote 5-0-0.

	Original	Revised	Notes
Personnel			
10-02 Full-Time	0.00		
10-03 Part-Time	1,500.00	4,500.00	25 hrs/week April & May; 40 hrs/week June @ \$10/hr.
10-07 FICA	415.00	415.00	
10-08 Medicare	97.00	97.00	
10-10 Overtime	2,000.00	2,000.00	
Personnel Total	4,012.00	7,012.00	
Utilities			
20-01 Electricity	4,000.00	4,000.00	
20-02 Communications	1,500.00	1,500.00	
20-03 Heating Oil	1,166.00	1,166.00	
Utilities Total	6,666.00	6,666.00	
Services			
30-04 Advertising	1,000.00	1,000.00	
30-05 Recording Fees/Licensing	600.00	600.00	
30-08 Contracted Personnel	12,000.00	12,000.00	
30-11 Engineering	2,500.00	2,500.00	
30-14 Haying/Mowing	0.00	0.00	
Services Total	16,100.00	16,100.00	
Insurance			
40-02 Workers Comp	0.00	0.00	
40-19 Airport Insurance	2,000.00	1,900.00	
Insurance Total	2,000.00	1,900.00	
Supplies/Equipment			
50-04 Postage	50.00	50.00	
50-06 Gasoline	500.00	500.00	
50-07 Diesel	1,500.00	1,500.00	
50-XX AVGAS		70,000.00	14,000 gallons at \$5.00/gallon (Price 2/1/12)
50-XX JET A		3,800.00	1,000 gallons at \$3.80/gallon (Price 2/1/12)
50-16 General Supplies	1,500.00	2,000.00	
50-18 Safety Equipment	1,000.00	1,000.00	
Supplies/Equipment Total	4,550.00	78,850.00	
Repairs & Maintenance			
60-01 Buildings	1,500.00	1,500.00	
60-02 Equipment	3,000.00	3,000.00	
60-03 Grounds	2,500.00	2,500.00	
Repairs & Maintenance Total	7,000.00	7,000.00	
Staff			
70-01 Dues & Fees	0.00	0.00	
70-03 Training & Education	0.00	0.00	
Staff Total	0.00	0.00	
Miscellaneous			
90-03 Master Plan Update	0.00		
90-XX Buy Out Fuel from FBO	0.00	3,790.00	400 gal AVGAS + 800 gal JET A minus past due rent
Miscellaneous Total			
Airport Total	40,328.00	121,318.00	

REVENUE

Source	Original	Revised
Land Leases	\$21,000	\$21,000
Rent	\$6,000	\$4,000
Fuel	\$1,440	\$80,069
Excise Tax	\$2,500	\$2,500
Apron Tie Down	\$0	\$2,000
Hangar Slots	\$0	\$3,000
	\$30,940	\$112,569
Expenses	\$40,328	\$121,318
	(\$9,388)	(\$8,749)

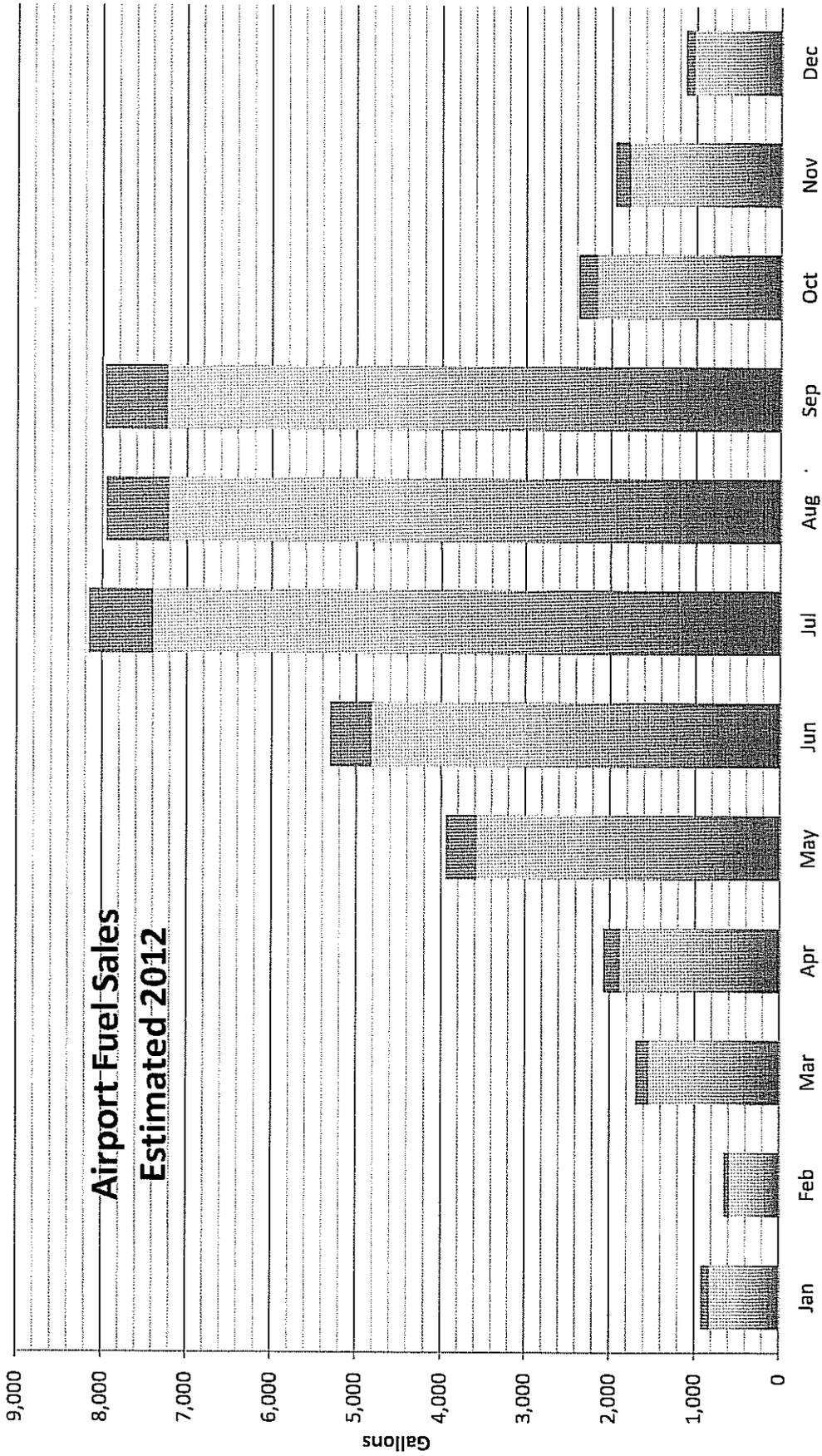
Airport 2012 Revised Budget
2012 EST Fuel Sales

2/2/2012 2:07 PM

AVGAS	Gallons		Financial		
	3 YR AVG	EST 2012	Wholesale	Retail	Profit
Costs			\$5.00	\$5.50	\$0.50
FY 2012					
Jan	817	817	\$4,086	\$4,495	\$409
Feb	538	592	\$2,960	\$3,256	\$296
Mar	1,284	1,541	\$7,706	\$8,476	\$771
Apr	1,571	1,885	\$9,423	\$10,365	\$942
May	2,985	3,582	\$17,912	\$19,703	\$1,791
Jun	4,017	4,820	\$24,100	\$26,510	\$2,410
Subtotal	11,212	13,237	\$66,187	\$72,806	\$6,619
FY 2013					
Jul	6,173	7,408	\$37,039	\$40,742	\$3,704
Aug	6,017	7,221	\$36,104	\$39,715	\$3,610
Sep	6,030	7,236	\$36,180	\$39,798	\$3,618
Oct	1,800	2,160	\$10,800	\$11,880	\$1,080
Nov	1,482	1,779	\$8,894	\$9,783	\$889
Dec	857	1,028	\$5,141	\$5,655	\$514
Subtotal	22,360	26,832	\$134,158	\$147,573	\$13,416
Total CY	33,572	40,069	\$200,345	\$220,379	\$20,034

JET A	Gallons		Financial		
	3 YR AVG	EST 2012	Wholesale	Retail	Profit
Costs			\$3.80	\$5.30	\$1.50
FY 2012					
Jan	91	100	\$380	\$529	\$150
Feb	60	66	\$250	\$349	\$99
Mar	143	157	\$596	\$832	\$235
Apr	175	192	\$729	\$1,017	\$288
May	332	365	\$1,387	\$1,934	\$547
Jun	446	491	\$1,866	\$2,602	\$736
Subtotal	1,246	1,370	\$5,207	\$7,263	\$2,056
FY 2013					
Jul	686	754	\$2,867	\$3,999	\$1,132
Aug	669	735	\$2,795	\$3,898	\$1,103
Sep	670	737	\$2,801	\$3,906	\$1,106
Oct	200	220	\$836	\$1,166	\$330
Nov	165	181	\$688	\$960	\$272
Dec	95	105	\$398	\$555	\$157
Subtotal	2,484	2,733	\$10,385	\$14,484	\$4,099
Total CY	3,730	4,103	\$15,592	\$21,747	\$6,155

Airport Fuel Sales Estimated 2012



■ AVGAS ■ JET A

**Airport 2012 Revised Budget
Fuel Supply-Demand**

2/2/2012 2:07 PM

AVGAS	Sales	Purchase	Balance
Start Balance			400
Feb	592	8,000	7,408
Mar	1,541		5,867
Apr	1,885		3,982
May	3,582	6,000	6,400
Jun	4,820		1,580
Jul	7,408	8,000	2,172
Aug	7,221	8,000	2,951
Sep	7,236	8,000	3,715
Oct	2,160		1,555
Nov	1,779		-224
Dec	1,028		-1,252
Total	39,252	38,000	

JET A	Sales	Purchase	Balance
Start Balance			800
Feb	66		734
Mar	157		577
Apr	192	1,000	1,385
May	365		1,020
Jun	491		530
Jul	754	4,000	3,775
Aug	735		3,040
Sep	737		2,303
Oct	220		2,083
Nov	181		1,901
Dec	105		1,797
Total	4,003	5,000	

SNYDER & JUMPER
ATTORNEYS AT LAW
THE CARRIAGE HOUSE
31 FORT HILL STREET, P.O. BOX 909
WISCASSET, ME 04578

207-882-5500

ERVIN D. SNYDER
DENNIS J. JUMPER

FAX 207-882-7482
E-MAIL sjlav@myfairpoint.net

27 Jan 12

Laurie Smith
Wiscasset Town Manager
51 Bath Road
Wiscasset, ME 04578

Re: Huntoon Hill CMP easement

Dear Laurie:

On January 4th you executed an easement from the Town to CMP running from Huntoon Hill Road to the land the Town recently leased to the State. That easement specified that it is on, over and under a 14 foot wide strip of land as specified in the lease with the State. In the easement you executed we limited the removal of any vegetation to, and the preclusion of structures from, this 14 foot wide strip of land. CMP's representative told me that CMP cannot accept these limitations; instead, it needs to have the right to remove vegetation outside this strip of land if the vegetation might interfere with its facilities and equipment, and the right to preclude structures within 15 feet of its facilities and equipment.

The "Lease Description," Exhibit A, states:

Also conveying rights to place and maintain aerial and/or underground utilities from the Huntoon Hill Road to the above described lease area within a certain 14 foot wide utility easement strip

CMP has no problem with placing its utility lines and appurtenances within this 14 foot wide strip of land. The question is whether or not the Town can grant it the right to go outside this strip of land to remove vegetation and preclude structures.

The second paragraph in Section 1 of the lease states:

Lessor [Wiscasset] hereby agrees to timely grant utility easements in

gross to the applicable public utilities for servicing the Leased Premises in and over land owned by Lessor . . . if and as required by such public utilities and on the usual terms required by such public utilities. [emphasis added]

CMP's representative confirmed to me today that the provisions the company wants for cutting any vegetation that might interfere with its equipment or facilities, and for precluding structures within 15 feet of its equipment and facilities, are usual terms that CMP requires in its easements; he stated that such "language is in all of our current easements." Therefore I conclude that the Town may grant CMP the right to go outside the 14 foot wide strip of land to remove vegetation and preclude structures because the lease which the Townspeople authorized specifically allows provisions that are "usual terms required by such public utilities."

Enclosed, therefore, is an amended easement. The only changes are in the bottom paragraph on the first page, and these changes allow what was discussed in this letter.

If I can give you any further thoughts or information about this matter, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Dennis". The letter "D" is large and loops around the start of the name.

Dennis J. Jumper

EASEMENT

W0# 3-863978
Form 1199.Rev.07/08

Town of Wiscasset, a Maine Municipality with a mailing address of 57 Bath Rd., Wiscasset, ME, 04578 (Grantor), for consideration given, grants to CENTRAL MAINE POWER COMPANY, a Maine Corporation with an office at 83 Edison Drive, Augusta, Maine 04336, and Northern New England Telephone Operations, LLC, a limited liability company organized under the laws of the State of Delaware, and having its principal place of business at 521 East Moorehead Street, Suite 250, Charlotte, NC 28202, and their respective successors and assigns (collectively Grantees), the right and easement, within a 14 foot wide strip of land (hereinafter, the "easement area") to:

erect, bury, maintain, rebuild, respace, patrol, operate, and remove and do all other actions involving electric and communication distribution equipment and facilities, consisting of poles, wires and cables, anchors, guy wires or pushbraces, together with all necessary fixtures and appurtenances over, across and under the easement area which is land of the Grantor in the Town of Wiscasset, Lincoln County, Maine. The said equipment and facilities are attached to a line commencing at Pole/Pad 4, Huntoon Hill Rd., Wiscasset and extending to include Pole(s)/Pad(s) 4.1 & 4.2, Huntoon Hill Rd.

This easement affects land conveyed to the Grantor in a deed from Sewall Albee, dated May 9, 1868, and recorded in the Lincoln County Registry of Deeds in Book 239, Page 407. This easement is an easement in gross and is not for the sole purpose of serving the Grantor or Grantor's land. The easement area is the "14 foot wide utility easement strip" mentioned in Exhibit A of a Communication Facility Lease between the Town of Wiscasset as Lessor, and the State of Maine as Lessee, dated March 1, 2011, a Memorandum of which is recorded in the Lincoln County Registry of Deeds in Book 4392 at Page 123.

The rights granted herein include the right to cut down and trim trees and other vegetation and to use formulations registered with the Environmental Protection Agency or its successor to eliminate vegetation, and modify the growth of trees, which vegetation or growth, in the judgment of Grantees, may interfere with the operation and maintenance of their equipment or facilities; and the right to restrict the construction of buildings, structures and improvements within 15 feet of its equipment and facilities; and the right to keep the surface of ground above its underground cables and other electrical equipment free from structures, improvements and growth which, in the judgment of the Grantees, may interfere with the proper operation or maintenance of said underground cables; and the right to enter upon the land of the Grantor for any and all of the foregoing purposes.

WITNESS the hand and seal of Grantor's duly authorized representatives on _____, 2012.

Town of Wiscasset

by: _____

Laurie Smith, Town Manager

Witness

State Of Maine
County Of Lincoln

The above-named Laurie Smith personally appeared before me this ____ day of _____, 2012 and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said Town of Wiscasset.

Notary Public/Attorney

Printed Name:

My Commission Expires:

1-30-12

To: Board of Selectmen, Town of Wiscasset,

Dear Sirs,

My name is Kevin James, and I have an agreement with the "Town" outlining terms to which would allow me to pay my back taxes at \$100.00 per week with a balloon payment at the end of the term. To date, I have paid over 1/3 of the arrearage, but as the term end date nears, it appears that I am going to fall short, (A pending sale has yet to move forward.)

What I would like to propose is to maintain the \$100.00 per week Status Quo without an end date, that would allow me to retain ownership rights on the property until either a sale has been executed, a windfall (i.e. tax returns etc) or private financing on my part can be secured.

Thank you,

Kevin James

Kevin J. James

377-317-9881

November 16, 2011

Kevin James

60 Shea Road

Wiscasset, ME 04578

Dear Kevin:

On October 18, 2011, The Wiscasset Board of Selectmen voted to extend your agreement with them until February 1, 2012.

Sincerely,

James H George

Treasurer/Tax Collector

Laurie Smith

Subject: FW: Request for Funding
Attachments: LCTV Funding Formula FY13.pdf

From: Lincoln County Television [<mailto:lctvchannel7@gmail.com>]
Sent: Thursday, January 19, 2012 2:54 PM
To: Laurie Smith
Cc: lctv1@kona.midcoast.com; Lisa Garman
Subject: Re: Request for Funding

Hi Laurie ~ I will answer the Selectmen's questions now, but would be happy to meet with you and/or the Selectmen to answer further questions or discuss in more detail.

Our capitol needs are many, but I will list the immediate ones with the greatest priority:

Three camera studio set-up @ \$30,000
Studio lights @ \$5250
Update buildings electrical system @ \$3600
Create parking lot behind building @ \$2450 (not paved)
2 editing bays (1 PC, 1 Apple) @ \$2800

We will also need to replace our broadcasting system, sometime in the next two years, at the cost of \$20,000.

Last year Damariscotta negotiated a 15 year contract with Time Warner. That contract includes a capitol grant of \$40,000; \$8000 for the town and \$32,000 for LCTV. That figure was arrived at by figuring Damariscotta's share of LCTV's capitol needs over the next 15 years, estimated to be \$267,000. Wiscasset's share of that would be \$51,530. (see attached funding formula)

Newcastle also negotiated a new contract with Time Warner last year for a 10 year period. They are receiving a capitol grant of \$20,000; \$15,000 for Lincoln Academy and \$5000 for the town. Newcastle did not negotiate a capitol grant for LCTV.

None of the other towns we service have renegotiated their franchise agreements and, therefore, do not have capitol grant monies from the cable company. We are encouraging towns to do so as we feel it is the least costly way for the towns to finance the equipment/facility needs of PEG access. In lieu of capitol grant money, towns that operate from a gross budget use regular revenue to support PEG, and towns that use the traditional accounting system designate a portion of their franchise fees to support PEG.

We don't believe this decision should be decided by town vote. The monies came from a grant that is specific in it's use - to provide capitol financing to produce and broadcast public, educational and government programs. The Selectmen have used part of that grant money to purchase equipment to produce town meetings; they had and have the same latitude when it comes to designating funds from that grant to LCTV for PEG needs. This issue is now seven years old; that and the fact that it does not need to go before the voters is why it is not part of the current budget process.

~ Mary Ellen

On Wed, Jan 18, 2012 at 4:27 PM, Laurie Smith <townmanager@wiscasset.org> wrote:

Hi Mary Ellen,

The Selectmen discussed the request for capital funding from LCTV and had some questions:

1. What are the capital needs for which the funding is requested?
2. What have other Towns committed towards capital funding?

They also discussed whether this request should be addressed during the budget process and wanted to make sure you understood they would need a town meeting vote in order to release the funds.

You can either forward the information to me or you can relay the information in person. Let me know how you wish to proceed.

Laurie Smith

Town Manager

Town of Wiscasset

51 Bath Road

Wiscasset, Maine 04578

(207) 882-8200 x 108

--
Mary Ellen Crowley
Station Manager
LCTV

LCTV Town Assessments for FY 2013 Funding Formula

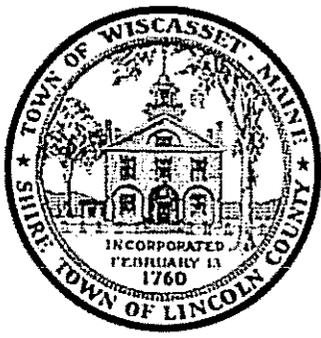
Town	2010 Population	% of Population (a)	2010 Cable Subscribers	% of Cable Subscribers (b)	% Town Assessment (c)	Town Assessment
Alna	709	3.29%	43	0.88%	2.09%	\$1043.00
Bristol	2755	12.80%	927	18.97%	15.89%	\$7931.00
Damariscotta	2218	10.31%	605	12.38%	11.35%	\$5665.00
Dresden	1672	7.77%	257	5.26%	6.51%	\$3,249.00
Edgecomb	1249	5.80%	174	3.56%	4.68%	\$2,336.00
Newcastle	1752	8.14%	431	8.82%	8.48%	\$4,233.00
Nobleboro	1643	7.63%	344	7.04%	7.33%	\$3,658.00
Waldoboro	5075	23.58%	1025	20.97%	22.27%	\$11,115.00
Westport	718	3.34%	44	0.90%	2.12%	\$1,058.00
Island						
Wiscasset	3732	17.34%	1037	21.22%	19.28%	\$9,623.00
Totals	21523	100.00%	4,887	100.00%	100.00%	\$49,911.00

Formula: [(a) + (b)]/2 = (c)

(c) x \$49,911 = Town Assessment

2010 Population figures taken from 2010 census

2010 Cable Subscriber figures taken from 2010 Time Warner Franchise Fee reports



Town of Wiscasset

MEMORANDUM

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
Re: Request for a stop sign
Dt: February 1, 2012

The Town of Wiscasset received a request to install a stop sign on Lee Street at the intersection of Lee Street/Bradbury / and High Street, along with the removal of the stop sign on Bradbury at the intersection of High Street. The original request is attached to this memorandum. The Police Chief, Public Works Director and I have visited the site and discussed the merits of the various stop signs. Both the Police Chief and Public Works Director recommend the placement of the additional stop sign on Lee, however are opposed to the removal of the stop sign on Bradbury. We are seeking direction from the Board of Selectmen on how to proceed.

A Proposal to change the Stop Sign Locations at the intersection of Bradbury Road/ Lee St and High St.

In the interest of the common good, public safety and logical solutions: The current locations do not address the safety needs of the intersection.

Cars approaching on Lee St from Rt 1 are propelled, by the hill coming down from Rt 1, to enter the intersection too fast, additionally the view of the road beyond the intersection is blocked by the pavement cresting at High St., additionally the down hill descent beyond the intersection makes stopping more difficult, additionally the crest lofts the cars enough to cut down on the traction of the tires also making stopping more difficult, additionally the steep descent of Bradford St. adds to the speed gained inspiring autos to run the stop sign at Summer St. All of the above risk pedestrian, bicyclist, and motorist safety by the adjacent CastleTucker museum.

Solution: Place a stop sign at High St on Lee St. east bound (with an Oncoming Traffic Does Not Stop attachment ((explained below)).

The present stop sign at the top of the hill on Bradbury Rd west bound at High St. is inappropriate and unnecessary as the autos having ascended the hill are going slow by virtue of the steep grade, and do not need to come to a stop, both because they are going slow enough to observe other traffic near the intersection and because the High St traffic and the oncoming Lee St. traffic must stop (if the sign is placed as suggested above). Additionally, cars stopping at the present stop sign lack traction when starting out, up hill, when ice or water are on the pavement, and when dry, are inspired to "burn rubber", sending clouds of smoke and squealing noise through the area.

Solution: Remove the stop sign at the top of the hill on Bradbury Rd west bound at High St. If signage is suggested then an intersection awareness sign (a sideways T) could be placed on Bradbury Rd west bound before High St. However with stop signs at the other two locations of the three way intersection it may not be necessary.

If you agree with these suggestions please print your name, provide your address, and sign, below: (If you don't, please use the lines to explain or offer an alternative suggestion)

STEVE WIDMER 12 HIGH ST. *[Signature]*

JOHN BREYER HIGH ST

JIM + GAIL SPURLIN HIGH ST *[Signature]*

GREG + JAN SHAW SUMMER ST Should Be 3-Way Stop

TODD + JAN HAEDRICH 2 HIGH ST *[Signature]*

JANE BLANCHARD 9 BRADBURY *[Signature]*

FRED + LINDA WINTERBERG *[Signature]*

GAIL WHITE 335 PLEASANT ST Gail White

Laurie Smith

The Stop Signs at High – Lee – Bradbury

Which stop sign is the wiser location? The one at the top of the hill where the cars are going the slowest or the one proposed on Lee St, before going down the blind hill, where the cars are going the fastest?

The three way intersection does not need three stop signs. That is over doing it. With two, the slowest approaching cars, having climbed the hill can both see and be seen.

For years no one thought this a problem, let's not have the issue raised only to have an over- reaction. There is an ideal solution to the issue, not insufficient nor excessive. Too often reactions are overboard like the recent requirements due to the foolish few who set off pyrotechnics in an auditorium. It's any easy solution to impose greater control but when it is unnecessary or excessive it's just plain unfair.

The intersection at Lee/Bradbury and High St does not warrant three stop signs. It is a T type intersection where two signs with "Oncoming traffic does not stop" and "Traffic on the left does not stop" allows for all vision and preparation necessary. There is unnecessary hardship on the drivers climbing the steep hill, going slowly, who should be allowed to pass through the intersection without stopping just as the downhill travelers have been allowed to do all these years. If the other two have stopped or are required to stop, they can see, and are warned of the right of way of the third. If the climbing vehicles need to react at the intersection all they have to do is take their foot off the gas in order to slow quickly or stop. In my observation over the years even the vehicles that run the stop sign when they get to the top of the hill were going slowly, whereas most vehicles coming down from route one were going way too fast (and even faster after High St.) and even a hard braking was not enough when a car or pedestrian was on the Bradbury hill and required swerving to avoid them.

The outcome of the suggestion to make a slight adjustment, to improve the intersections safety, would be disappointing to everyone if it just threw the balance off the other way, from insufficient caution to excessive and unnecessary.

Two stop signs have been enough for intersection safety. Please try the approach of keeping just two signs, as it has been, with the slight improvement of changing the location of one of them and trying it that way first. The issue is not the shortage of stop signs or even the auto safety of the intersection - it is the driver's visibility of the pedestrians on the hillside and the speed of the travelers coming down the hill from route one. Switching signs is a huge improvement, if you feel additional safety is warranted then the next step would be to add additional info signs below the stop signs (as in quotes above) but please don't add a third sign. It would be easy, but an inconvenient and unnecessary over-reaction.

Thank you,

Steve Widmer





Office of Planning & Codes

TO: Wiscasset Board of Selectmen
FROM: Misty Gorski, Town Planner
DATE: February 7, 2012
SUBJECT: ORC PACE Ordinance Recommendation

At the December 6, 2011 Selectboard meeting, the Selectmen requested the Ordinance Review Committee to review the model PACE Ordinance provided by Efficiency Maine. The Property Accessed Clean Energy Act (PACE Act), 35-A M.R.S.A. § 10151, et seq., requires municipalities to adopt a PACE Ordinance, establishing a PACE program, before residents can access the PACE funding for energy improvements to their homes.

The ORC has reviewed the model ordinance which would enact a program in Wiscasset that would be administered by the Efficiency Maine Trust. Some changes have been made to the ordinance clarifying Wiscasset's limited responsibility in the program. The final ordinance recommended by the ORC is one they felt if adopted would attempt to protect the municipality.

Some concerns about the program were raised about the PACE program by ORC members and at their request this memo will provide you with some information they feel should be addressed in greater detail by the Selectmen, if you choose to pursue establishing a PACE program.

ORC members are concerned about the need for establishing an ordinance, which establishes a PACE program, in order for residents to access PACE funding. Other than the requirement in the statute for a municipality to adopt a PACE ordinance, there is little other clarification as to why this would be necessary since the municipality is not involved with the loans.

The ORC has concerns about the future municipal role in the program and the sustainability of the program. Additionally, the ORC did review the PACE contract, although they did not focus on this particular document as it was outside their scope of work. They did feel it was valuable to inform the Selectmen of their concerns with the contract and suggest the Board, Town Manager and Town Attorney thoroughly review the contract. The ORC felt the contract outlined significant responsibilities of the Town that were ambiguous in terms of commitment of municipal resources. For example, the contract references the municipality shall participate in collecting and distributing funds as well as participate in record keeping. It is unclear what this will mean for the Town since the Efficiency Maine Trust would be administering the loan program.

Conformity clauses were identified as a concern to the ORC, too. Some language is used in the contract stating if the municipality's program is not in conformance with changes made to the

program by the State, then the municipality shall amend their program to be in conformance with the changes. The ORC addressed this issue in the ordinance ensuring if the program should be changed by the State and the municipality is not in conformance, the municipality shall have the right to determine if they will amend to become into conformance or cease participation in the program. The ORC recommends the Selectmen address the contract with great attention if it is decided to pursue establishing a PACE program.

MODEL PROPERTY ASSESSED CLEAN ENERGY (PACE) ORDINANCE

Administration by the Efficiency Maine Trust

PROPERTY ASSESSED CLEAN ENERGY (PACE) ORDINANCE.

PREAMBLE

WHEREAS, the 124th Maine Legislature has enacted Public Law 2009, Chapter 591, “An Act to Increase the Affordability of Clean Energy for Homeowners and Businesses,” also known as “the Property Assessed Clean Energy Act” or “the PACE Act”; and

WHEREAS, that Act authorizes a municipality that has adopted a Property Assessed Clean Energy (“PACE”) Ordinance to establish a PACE program so that owners of qualifying property can access financing for energy saving improvements to their properties located in the City/Town, financed by funds awarded to the Efficiency Maine Trust under the Federal Energy Efficiency and Conservation Block Grant (EECBG) Program and by other funds available for this purpose, and to enter into a contract with the Trust to administer functions of its PACE program; and

WHEREAS, the Municipality wishes to establish a PACE program; and

NOW THEREFORE, the Municipality hereby enacts the following Ordinance:

ARTICLE I - PURPOSE AND ENABLING LEGISLATION

§ XX-1 Purpose

By and through this Ordinance, the Town of Wiscasset declares as its public purpose the establishment of a municipal program to enable its citizens to participate in a Property Assessed Clean Energy (“PACE”) program so that owners of qualifying property can access financing for energy saving improvements to their properties located in the Town of Wiscasset. The Town of Wiscasset declares its purpose and the provisions of this Ordinance to be in conformity with federal and State laws.

§ XX-2 Enabling Legislation

The Town of Wiscasset enacts this Ordinance pursuant to Public Law 2009, Chapter 591 of the 124th Maine State Legislature -- “An Act To Increase the Affordability of Clean Energy for Homeowners and Businesses,” also known as “the Property Assessed Clean Energy Act” or “the PACE Act” (codified at 35-A M.R.S.A. § 10151, et seq.).

ARTICLE II - TITLE AND DEFINITIONS

§ XX-3 Title

This Ordinance shall be known and may be cited as “the Town of Wiscasset Property Assessed Clean Energy (PACE) Ordinance” (the “Ordinance”).”

§ XX-4 Definitions

Except as specifically defined below, words and phrases used in this Ordinance shall have their customary meanings; as used in this Ordinance, the following words and phrases shall have the meanings indicated:

1. **Energy saving improvement.** “Energy saving improvement” means an improvement to qualifying property that is new and permanently affixed to qualifying property and that:
 - A. Will result in increased energy efficiency and substantially reduced energy use and:
 - (1) Meets or exceeds applicable United States Environmental Protection Agency and United States Department of Energy Energy Star program or similar energy efficiency standards established or approved by the Trust; or
 - (2) Involves air sealing, insulating, and other energy efficiency improvements of residential, commercial or industrial property in a manner approved by the Trust; or
 - B. Involves a renewable energy installation or an electric thermal storage system that meets or exceeds standards established or approved by the trust.
2. **Municipality.** “Municipality” shall mean the Town of Wiscasset.
3. **PACE agreement.** “Pace agreement” means an agreement between the owner of qualifying property and the Trust that authorizes the creation of a PACE mortgage on qualifying property and that is approved in writing by all owners of the qualifying property at the time of the agreement, other than mortgage holders.
4. **PACE assessment.** “PACE assessment” means an assessment made against qualifying property to repay a PACE loan.
5. **PACE district.** “Pace district” means the area within which the Municipality establishes a PACE program hereunder, which is all that area within the Municipality’s boundaries.

6. **PACE loan.** "PACE loan" means a loan, secured by a PACE mortgage, made to the owner(s) of a qualifying property pursuant to a PACE program to fund energy saving improvements.
7. **PACE mortgage.** "PACE mortgage" means a mortgage securing a loan made pursuant to a PACE program to fund energy saving improvements on qualifying property.
8. **PACE program.** "PACE program" means a program established under State statute by the Trust or a municipality under which property owners can finance energy savings improvements on qualifying property.
9. **Qualifying property.** "Qualifying property" means real property located in the PACE district of the Municipality.
10. **Renewable energy installation.** "Renewable energy installation" means a fixture, product, system, device or interacting group of devices installed behind the meter at a qualifying property, or on contiguous property under common ownership, that produces energy or heat from renewable sources, including, but not limited to, photovoltaic systems, solar thermal systems, biomass systems, landfill gas to energy systems, geothermal systems, wind systems, wood pellet systems and any other systems eligible for funding under federal Qualified Energy Conservation Bonds or federal Clean Renewable Energy Bonds.
11. **Trust.** "Trust" means the Efficiency Maine Trust established in 35-A M.R.S.A. § 10103 and/or its agent(s), if any.

ARTICLE III - PACE PROGRAM

1. **Establishment; funding.** The Municipality hereby establishes a PACE program allowing owners of qualifying property located in the PACE district who so choose to access financing for energy saving improvements to their property through PACE loans administered by the Trust or its agent. PACE loan funds are available from the Trust in municipalities that 1) adopt a PACE Ordinance, 2) adopt and implement a local public outreach and education plan, 3) enter into a PACE administration contract with the Trust to establish the terms and conditions of the Trust's administration of the municipality's PACE program, and 4) agree to assist and cooperate with the Trust in its administration of the municipality's PACE program. *See Article 5B.*
- ~~2. **Amendment to PACE program.** In addition, the Municipality may from time to time amend this Ordinance to use any other funding sources made available to it or appropriated by it for the express purpose of its PACE program, and the Municipality shall be responsible for administration of loans made from these other funding sources.~~

ARTICLE IV – CONFORMITY WITH THE REQUIREMENTS OF THE TRUST

1. Standards adopted; Rules promulgated; model documents. If the Trust adopts standards, promulgates rules, or establishes model documents subsequent to the Municipality's adoption of this Ordinance and those standards, rules or model documents substantially conflict with this Ordinance, the Municipality shall take necessary steps to conform this Ordinance and its PACE program to those standards, rules, or model documents. *If the municipality is not in agreement with the proposed changes, the municipality may choose to withdraw from the PACE program by vote of the Board of Selectmen.*

ARTICLE V – PROGRAM ADMINISTRATION; MUNICIPAL LIABILITY

1. Program Administration

A. PACE Administration Contract. Pursuant to 35-A M.R.S.A. §10154(2)(A)(2) and (B), the Municipality will enter into a PACE administration contract with the Trust to administer the functions of the PACE program for the Municipality. The PACE administration contract with the Trust will establish the administration of the PACE program including, without limitation, that:

- i. the Trust will enter into PACE agreements with owners of qualifying property in the Municipality's PACE district;
- ii. the Trust, or its agent, will create and record a Notice of the PACE agreement in the appropriate County Registry of Deeds to create a PACE mortgage;
- iii. the Trust, or its agent, will disburse the PACE loan to the property owner;
- iv. the Trust, or its agent, will send PACE assessment statements with payment deadlines to the property owner;
- v. the Trust, or its agent, will be responsible for collection of the PACE assessments;
- vi. the Trust, or its agent, will record any lien, if needed, due to nonpayment of the assessment;
- vii. ~~the Trust or its agent on behalf of the municipality,~~ promptly shall record the discharges of PACE mortgages upon full payment of the PACE loan.

B. Adoption of Education and Outreach Program. In conjunction with adopting this Ordinance, the Municipality shall adopt and implement an education and outreach program so that citizens of the Municipality are made aware of home energy saving opportunities, including the opportunity to finance energy saving improvements with a PACE loan. *To fulfill the education and outreach program required, the municipality will make available brochures and other educational material, provided by the Trust, for its residents at no cost to the municipality.*

C. Assistance and Cooperation. The Municipality will assist and cooperate with the Trust in its administration of the Municipality's PACE program.

D. Assessments Not a Tax. PACE assessments do not constitute a tax but may be assessed and collected by the Trust in any manner determined by the Trust and consistent with applicable law.

2. Liability of Municipal Officials; Liability of Municipality

A. Notwithstanding any other provision of law to the contrary, *the municipality*, municipal officers and municipal officials, including, without limitation, tax assessors and tax collectors, are not personally liable to the Trust or to any other person for claims, of whatever kind or nature, under or related to a PACE program, including, without limitation, claims for or related to uncollected PACE assessments.

B. Other than the fulfillment of its obligations specified in a PACE administration contract with the Trust entered into under Article V, §1(A) above, a municipality has no liability to a property owner for or related to energy savings improvements financed under a PACE program.



Office of Planning & Codes

TO: Wiscasset Board of Selectmen
FROM: Misty Gorski, Town Planner
DATE: February 7, 2012
SUBJECT: Planning Board request for ordinance amendment

At the January 23rd Planning Board meeting, the Board voted to request the Selectmen ask the ORC to review Article 1, Town Officials, Section 4.3.3 of the Town of Wiscasset Ordinances that requires the Planning Board to meet once a month. This provision states that the Chair shall call 1 meeting of the Planning Board each month. Over the past couple months with the Planning Board receiving few applications this requirement has proven to be a burden on the volunteer board by requiring them to hold one meeting a month if there is no business to be conducted. The Planning Board requests the Selectmen consider sending this issue to the ORC to be addressed.

Selectmen Goals 2012

Overarching goal: To create a quality place building upon the historic nature of Wiscasset providing quality community services at an affordable rate for citizens.

Challenges:

- Waterfront infrastructure upkeep
- Infrastructure maintenance
 - Sewer – limited users
- Not competitive in Business Market
 - Taxes
 - No Full Time staff or Economic Development
 - BNAS – Incentives
- Ease for business development
- Curb cuts on Route 1
- Public Involvement
 - Volunteers
 - Voting
 - Apathy
 - Sense that Board goes against the legislative body
- Need for Town Train Station
- To decrease taxes we must cut services
- Revenue generation
 - Make certain departments more self sufficient
- Health Care costs for employees
- No significant annual community event
- Emergency Plan has not been exercised
- Historic village
- ~~• Bypass – keep up with informal and find acceptable route~~
- Keeping taxes down
 - Residents on fixed incomes
 - Only ½ of budget under town control
 - Were valuation rich in past
 - Redirect limited resources to reduce town expenses
- Replacing rapidly depreciating equipment
 - Use town reserves

Opportunities:

- People of community
 - Civic engagement
 - Skills and abilities to benefit community
 - Retirement group younger and willing to serve

- Public Television for Board meetings
- Historic Village
 - Private investment downtown
- Recreational trails and lands
- Partnerships
 - Westport
 - Edgecomb
 - Alna
 - Lincoln County
- Developable Land
- Chamber of Commerce
- Spirit Award recognition for St. Phillips – recognize others
- Attrition in workforce allows reduction in labor naturally
- Energy infrastructure power grid
- Tidal energy project
- Riverbank
- Airport
- Eastern Railroad
- Waterfront development
- The Town website

Goals:

1. Economic Development
 - a. Perform a land inventory of public and private land to market to developers
 - b. Answer the question "why Wiscasset" and create marketing through print and web.
2. Grow our resources at the Airport.
 - a. Partner with the Texas Flying legends to create a permanent home for them at the airport.
 - b. Find our niche as an airport especially in relation to Brunswick Naval Air Station.
3. Review town committees
 - a. Evaluate the need for the committees
 - b. Determine whether there should be a length of service for members
 - c. Define the purpose of the committee
 - d. Give the committees direction from the Selectmen
 - e. Establish a reporting procedure between Committees and Selectmen
 - f. Hold a workshop with the committees

4. Ambulance service
 - a. Maintain current service
 - b. Maximize revenues

 5. Insurance Service Office (ISO) rating for public fire protection
-

Other Goals:

- Reduce Accounts Receivable by 30% (More regular reporting on progress)
 - Sewer
 - Ambulance
 - Taxes

- Influence Maine policy by creating legislative liason/advocate
- Revitalize our historic downtown village
- Education
 - Support the proposed funding formula change
 - Focus on shared goals of quality education
- Human Resource development.
 - Increase skill level of departments through training on management and technology.
- Examine cost effective operations
 - Purchase in bulk at regional level
- Cross charge expenses among departments
- Establish annual event in Wiscasset

January 30, 2012

To: Potential Community Support Network

Subject: Meeting to Discuss Organizing Community Resources

My name is Lisa Garman and I work at the Wiscasset Town Office. This past fall, in my role as General Assistance Administrator, I noticed a dramatic increase in the number of residents seeking general assistance. After some research, I discovered that applications have doubled compared with last year. This uptick in the number of applications results from homelessness, unemployment, and greater public demand, coupled with decreased State funding.

While many programs, organizations, and community resources exist in Lincoln County, we lack a system that connects them for both easy access by people in need and as a tool for administrators. There are plenty of examples of families that slip through the cracks, but also of families that become repetitive users. Clearly, it's time to explore better outreach. A successful effort to pair local needs with available resources will enable us to achieve maximum benefits, eliminate duplication, and reduce the increasing burden on our taxpayers.

To explore the possibilities for an improved outreach effort in our area, I attended a recent meeting of the Boothbay Region Community Resources. I was so impressed with their success that I propose starting a similar program, called Lincoln County Community Resources. The benefits would be two-fold; to better inform residents of the Lincoln County region about locally available assistance, and to better serve in our various roles as Administrators of social services.

With this in mind, I am inviting you to attend our first meeting so that we can explore this desperately needed program. I have enclosed a tentative agenda for the meeting, which will be held on Wednesday, February 29th at 6:00 p.m. at the Wiscasset Town Office hearing room, located at 51 Bath Road in Wiscasset (intersection of Route 1 and Route 27). I am in process of assembling a list of organizations and people I believe could suggest ways to achieve better community outreach. If you are aware of anyone who should be involved with this effort, please encourage them to attend and/or contact me. My hope is to form a steering committee whose focus will shape the direction of this collective effort.

I look forward to seeing you on February 29th. Please bring material from your organization that you would like to share with the rest of the group, and let me know if you have questions or need more information.

Thank you in advance for your time and commitment to our community and to the people we serve.

Sincerely,



Lisa Garman

Program Coordinator

207-882-8200 x 103

admin@wiscasset.org

Enclosures (s)

Lincoln County Community Resources
Town of Wiscasset
Wednesday, February 29th at 6:00 p.m.

AGENDA

1. Welcome and introductions
2. Distribute community outreach material
3. Goals
 - a. Discussion of Area
 - i. Local vs. Regional
4. Project Support
 - a. Form a Steering Committee
5. Next Meeting
 - a. Vote: When and Where
6. Adjourn