

WISCASSET SELECT BOARD,
TAX ASSESSORS AND OVERSEERS OF THE POOR
MINUTES, SEPTEMBER 4, 2018

Present: Kim Andersson, Bob Blagden, Chair Judy Colby, Kathy Martin-Savage, Vice Chair Ben Rines, Jr., and Town Manager Marian Anderson

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

1. Pledge of Allegiance

2. Approval of Treasurer's Warrants

Kathy Martin-Savage moved to approve the payroll warrants of August 24 and August 31, 2018. Vote 5-0-0.

Kathy Martin-Savage moved to approve the accounts payable warrants of August 24 and September 4, 2018. Vote 5-0-0.

3. Approval of Minutes

Kim Andersson moved to approve the minutes of August 16, 2018. Vote 4-0-1 (Blagden abstained)

Ben Rines, Jr., moved to accept the minutes of August 21, as amended. Vote 5-0-0.

4. Special Presentations or Awards – none

5. Committee Appointments – none

6. Public Hearings

a. Annual License for Sale of Consumer Fireworks – Allen Cohen applicant

Kathy Martin-Savage moved to open the public hearing. Vote 5-0-0. Al Cohen submitted his application to the Town for an Annual License for the Sale of Fireworks together with a check for advertising costs for the public hearing and his state and federal licenses. He said he was looking to continue operating Big Al's fireworks store and the storage building on JB's Way. He said the storage building on JB's Way had been inspected by the Fire Marshal, the ATF and the CEO, and all concerns had been addressed.

Cecilio Juntura, owner of the Taste of the Orient restaurant and motel next to Big Al's property on Route 1, said the people staying in his motel complained about the fireworks store. He said he sometimes stayed in the motel but could not sleep for fear of terrorists causing an explosion. He has two propane tanks and he feared an explosion if anything should happen at the fireworks store.

John Pottle, attorney for Tom and Katie Bryant, said the Bryants oppose the applications. He said the court case did not involve the Route 1 location or the Conex boxes on JB's Way, and he asked that the

board deny or table the application and request more information. He provided written material for the board's consideration. A lengthy discussion followed among the attorney, the Bryants and Mr. Cohen dealing with the wording of the state law regarding the distance required for storage of fireworks from an inhabited or uninhabited building, the advisability of Conex boxes for storage of fireworks, misunderstandings about the law suit brought by the Bryants, possible changes in the State law and Town procedures in permitting the sale and storage of fireworks. Mr. Bryant distributed a "Background on Bryant vs. Big Al's."

Ben Rines said the CEO had signed the Cohen's application and asked whether that meant that he accepted or that he approved the application. Jim Kochan asked whether MMA had been consulted. Judy Colby said the planning board had met more than once on Cohen's application and could find nothing wrong with the application. Ray Soule, Planning Board chair, said Cohen did everything that was required. Kathy Martin-Savage moved to come out of the public hearing. Vote 5-0-0. A motion by Kathy Martin-Savage to accept both applications as submitted failed for lack of a second. Ben Rines, Jr. recommended getting better information from the Code Enforcement Officer and continuing discussion at the next meeting.

7. Public Comment

Steve Christiansen said he had reported a trailer left in the Middle Street parking lot 11 of the past 13 weeks, tables in front of a store on Water Street, and banners on the common and Federal Street, but nothing had been done. He asked if the town had paid any legal fees regarding the sunken boat and if so would those costs be passed on to the boat owner. He also said that the board had voted on an item not on the agenda without suspending the rules. Anderson said the CEO had talked to the owner of the trailer who will remove it. She mentioned that the Police Chief had only begun work that day and will be attending to some of the items on the list. Regarding the sunken boat, Anderson said she and Harbormaster Ray Soule had met with the owner's father who is trying to figure out what to do with the boat. The Town has incurred no legal fees as the matter is in the courts and the District Attorney is handling the matter.

Kin Dolce asked whether the ordinance addressed the small roadside signs for hundreds of feet before and after a business. Anderson said the temporary signs do not fall under the sign ordinance, but the CEO will speak to the businesses. Anderson also said the "Men at Work" signs will be picked up.

8. Department Head or Committee Chair

a. Downtown Public Advisory Committee Report: Bill Maloney submitted the final report of the committee which had been completed the previous week. He thanked board members Kathy Martin-Savage and Bob Blagden as well as the other committee members. Jim Kochan said loading zones had been discussed at several meetings which were in the plan until the governor vetoed all parking. He said it was essential to put the loading zones back in the plan. Judy Colby said it was her understanding that the plans were the same as they were before the law suit. Kim Dolce said the plan given to the contractor does not show the loading zones. The matter will be discussed with MDOT.

b. Wiscasset Fire Department July Monthly Report: Reports for the Fire Department and EMS Department, which were omitted from the packet at the last meeting, were distributed.

9. Unfinished Business

a. Decision on downtown trees: The board members discussed trees for the Main Street improvement project, particularly the method of planting trees and winter maintenance. MDOT had asked the board for a decision on whether to include trees in the plan. **Kathy Martin-Savage moved to approve trees for the MDOT downtown Wiscasset project.** Bob Blagden said the maintenance and/or replacement of the trees as well as other amenities would be an expense for the town. **Vote 4-1-0 (Blagden opposed)**

b. Consideration of Chewonki Campground avigation easement for the airport: Anderson said the negotiations had been difficult for all parties and she was glad that an agreement had been reached which meets some of the campground needs. **Judy Colby moved that the board authorize and delegate authority to the Town Manager to:**

(1) Accept on behalf of the Town of Wiscasset an avigation easement from the Chewonki Campground pursuant to the requirements of the Federal Aviation Administration (FAA) for airport safety;
(2) Execute any and all agreements, actions and documents relating to the avigation easement administrative settlement with Chewonki Campground which will include making a payment of \$280,000 for such easement (90% of the \$280,000 payment is expected to be reimbursed by the FAA and 5% of the \$280,000 is expected to be reimbursed by the Maine Department of Transportation, leaving a net amount of \$14,000 to be paid by the Town of Wiscasset) and
(3) Execute a separate agreement between the Town and Chewonki Campground that relates to the construction process and other issues in a form substantially similar to the draft agreement provided to the Board with this vote. In response to Bob Blagden's question, Marian Anderson said a special town meeting would not be required, the funds would come from next year's budget. **Vote 3-2-0 (Rines and Andersson opposed).**

c. Amendment to the prior 2018 Tax Anticipation Note Authorization: It was discovered that the bid from Sanford Savings Institution, to whom the Tax Anticipation Note had been awarded, was not the lowest bid after the fees were included. **Ben Rines moved to rescind the award to Sanford Savings Institution. Vote 5-0-0.** **Judy Colby moved: (1) That under and pursuant to Title 3-A, Section 5771 of the Maine Revised Statutes as amended and supplemented, there be and hereby is authorized the issuance of a \$1,347,000 principal amount Tax Anticipation Note of the Town in anticipation of the receipt of taxes for the municipal fiscal year which commenced July 1, 2018, and ends June 30, 2019. (2) That said Note shall be dated on or about August 31, 2018, shall mature on June 30, 2019, shall be signed by the Treasurer and countersigned by the Chairman of the Board of Selectmen, shall bear interest at the rate of 1.2% per annum on a 30/360 day basis, and shall be payable at the Bath Savings Institute, and otherwise be in such form and bear such details as the signers may determine. (3) That said Note is hereby sold and awarded to Bath Savings Institute. (4) That said Note is hereby designated qualified tax-exempt obligation of the Town for the 2018 calendar year pursuant to the Internal Revenue Code of 1996. (5) that all things heretofore done, and all action heretofore taken by the Town, its municipal officers and agents in the authorization of said Note are hereby ratified approved and confirmed and the Treasurer and Chairman are each hereby authorized to take any and all action necessary or convenient to carry out the provisions of this voting, including delivering said Note against payment therefor. Vote 5-0-0.**

10. New Business

a. FY 2018 Draft Audit – Fred Brewer: Brewer reviewed the preliminary draft of the audit with the board with explanations of the various schedules. The Town's current investment account is \$11.5 million after investment income of \$1.1 million. Total actual revenues were \$15,399,739.14; total

expenditures were \$15,599,904.44. Brewer explained the schedules relative to departmental income and expenses; valuation, assessment and collections; and revenue, expenditures and changes in fund balances. He said the town had stayed within its budget for the most part. The town spends \$1.2 million per month; however, the cash on hand as of June 30, 2018 was \$333,632. less than a third of what is needed. He recommended not using the undesignated fund balance to reduce taxes. The money paid for the Chewonki easement will affect the taxes for a few years and money may have to be taken from the reserves for that purpose.

b. Bid Openings: sale of 2008 Crown Victoria

The following bids were received: Bill Barnes - \$800; Matt Dorsey – \$850. **Kathy Martin-Savage moved to award the bid to Matt Dorsey for \$850 for the Crown Victoria. Vote 5-0-0**

c. Municipal Quit Claim Deeds

Bob Blagden moved to grant quit claim deeds to the following:

Innes Ryan, 8 Clover Land

Stephen L. Heald, 23 Page Avenue

Vernon and Bridgett Brewer, 26 Old Stage Road

Marsha and David Brown, 40 Water Street

Kendall W. Dutton, Sr., 311 Old Stage Road

Sarah Jording, 11 Clover Lane

Douglas Koehling and Elmer and Heidi Warren, 215 Gardiner Road

Karl Mareau, 6 Hooper Street

Musical Wonder House and Naomi and Paulo Carvalho, 18 High Street

Matthew and Lisa Sampson, 25 Pinewood Drive

Shena Thibeault, 7 Danforth Street

Stewart and Elaine Wyman, 283 Gardiner Road

Sam Patterson and Patterson's Trailer Park, 285 Birch Point Road

Mason Station, LLC, 144 Birch Point Road

Mason Station, LLC, 29 South Point Drive

Mason Station, LLC and Lot #12, 23 South Point Drive

Vote 5-0-0.

d. Review 2018-2019 Tax Commitment: A chart giving the impact the various mill rates would have on real estate taxes was discussed by the board. The board had approved taking \$200,000 from the undesignated fund balance for the 2017-2018 fiscal year. Vernice Boyce reminded the board that as of June 30, the cash on hand was only \$500,000 and only because the school had not asked for funds over the summer did the town have enough funds to pay its bills. She said adequate taxes were needed to pay for what was voted on at Town Meeting. There were suggestions that plans should be made for the future, and that the voters should know what they were voting for and how much increase in taxes each line item represented. In response it was pointed out that information for taxpayers was available from newspapers, at public meetings and via taped meetings. A motion by Ben Rines, Jr. to take \$100,000 from the undesignated fund balance was defeated. A motion by Bob Blagden to take \$200,000 out of the undesignated fund balance was defeated. **Judy Colby moved to take no money from the**

undesignated fund balance which would result in a 4.2% increase in taxes. Vote 3-2-0 (Blagden and Rines opposed).

e. MMA Workers Compensation Dividend Payment: A dividend check for \$7,559 had been received from Maine Municipal Association.

11. Town Manager's Report

Anderson said she had no report other than she had been working on the tax commitment and the airport agreement.

12. Other Board Business

a. County Tax Assessment

The Lincoln County Commissioners had advised Wiscasset that its portion of the county tax is \$611,353.83.

Kathy Martin-Savage said a new Downtown Committee was being formed to help promote Wiscasset's downtown during and after the Maine DOT construction project. The first meeting will be held at Sarah's Café on Friday, September 14 at 8 a.m.

Bob Blagden said Wiscasset should have talked with the Sheriff's department and he would not have a problem with contracting with the ambulance service. He wished the board had the guts to make those changes. Anderson said a meeting with the members of the EMS could be on the agenda for the next meeting to discuss the future of the ambulance service. She said there is instability in the service because the future is unknown. She added that in 2015 the townspeople voted to stay with the ambulance and police departments. Anderson said she had not heard from the other agency that had expressed interest in supplying ambulance service.

There was a general discussion about raising permit fees, assessing, future planning, assistance from the sheriff's department, "owning" the comprehensive plan and inter-departmental cooperation.

13. Adjournment

Judy Colby moved to adjourn the meeting at 8:40 p.m. Vote 5-0-0.