

WISCASSET BOARD OF SELECTMEN
SEPTEMBER 18, 2007

(Tape recorded meeting)

Present: Bill Curtis, Chairman Duane Goud, Vice Chairman David Nichols,
Alex Robertson, Nicole Viele and Town Manager Arthur Faucher

1. Call to Order

Chairman Goud called the meeting to order at 6:03 p.m.

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

The chairman announced that Item 14 on the agenda (Sign Tax Commitment and Set Mill Rate) would be postponed until Tuesday, September 25. A revaluation assessment workshop will be held on September 24. Item 5 was removed from the agenda. **Duane Goud moved, David Nichols seconded, to take out of order Items 10, 11, 12, 13 and 16 before discussing Items 8 and 9. Vote 5-0.**

3. Approve Minutes of August 21, 2007 and September 6, 2007

David Nichols moved, Bill Curtis seconded, to accept the minutes of August 21 and September 6, 2007 as presented. Vote 5-0.

Old Business

4. Request to Accept Harrison Lane as a Town Road (Road Specifications)

Duane Goud moved, David Nichols seconded, to assign the Town Manager, Town Planner and Road Commissioner to work with the developer to develop background information on the road and report back to the Selectmen. Harold Warren, who had made the request for the road to be accepted by the town, said the road exceeds the town specifications and that he had changed the design from a T turnaround to a loop to accommodate school buses. He said he knew it was not compulsory for the town to accept the road, but the homeowners did expect it. **Vote 5-0.**

New Business

6. Request to Change Fine Amount for Parking within Ten Feet of a Fire Hydrant (Wiscasset PD)

Lt. John Allen asked the Selectmen to increase the fine for parking within ten feet of a fire hydrant, as the current fine was not sufficient to deter violations. He said

finer in other Maine towns ranged from \$10 to \$50. **David Nichols moved, Nicole Viele seconded, to increase the fine to \$50 for hydrant parking and/or the vehicle will be towed at owner's expense. David Nichols moved to amend the motion to increase the fine to \$100. Nicole Viele seconded the amendment. The amendment passed 5-0. The vote on the amended motion (to increase the fine for hydrant parking to \$100 and/or the vehicle will be towed at the owner's expense) was 5-0.**

7. Manager's Report

- Mary Bailey Fund/Interest Update: Arthur Faucher reported that as of June 30, 2007 interest in the fund amounted to \$4,336.37. Total fund amount is \$219,159.27.
- Elizabeth Young Property - Clean Up (Legal Update - Dennis Jumper): The Town Manager said all the legal steps had been taken to acquire this property and he asked for the Board's authority to have the property cleaned up before winter. **Duane Goud moved, Alex Robertson seconded, to clean up the Elizabeth Young property as soon as possible.** Arthur Faucher said that the previous owners had had months to remove property and whatever is left can be considered abandoned. The Town crew will do the work. **Vote 5-0.**
- Glen Lewis Property - Legal Acquisition (Dennis Jumper): **Duane Goud moved, David Nichols seconded, to go forward with the legal acquisition of the Glen Lewis property on Foye Road. Vote 5-0.**
- Sign BMRS (Wiscasset Air Charter) Lease Agreement (Dennis Jumper): Arthur Faucher said the lease had been prepared by the Town Attorney for the Selectmen's signatures. In response to Bill Curtis' concern about hazardous materials, Mike Muchmore said that only fuel and maintenance supplies were stored at the airport. **Duane Goud moved, Bill Curtis seconded, to accept the lease agreement. Vote 5-0.**
- Kenneth R. Boudin (Wiscasset Airport Committee Chairmanship): In response to questions regarding his residency, Mr. Boudin said he had been a registered voter in Wiscasset since 1979, he owns and pays taxes on three parcels in town and has not lived outside Wiscasset in the last ten years. He has been chairman of the Airport Committee since 1985 and would like to stay on. Bill Curtis asked that minutes of the Airport Committee meetings be forwarded to the secretary of the Selectmen. He also suggested that Mr. Boudin attend meetings with the Town Manager and the Airport Manager. **Duane Goud moved, Alex Robertson seconded, to appoint Kenneth Boudin, Jr. and Pam Brackett back on the Airport Committee. Vote 5-0.**
- Road Ownership - Wiscasset I.park: Arthur Faucher said that in 2005 Wiscasset borrowed money and later received a grant for the infrastructure of the

road. The Town owns the road but not the land under the road. He asked the Selectmen to approve legal expenses in connection with a quitclaim deed to the land. **Duane Goud moved, Alex Robertson seconded, to give the Town Manager authority to incur legal fees to acquire a quitclaim deed for the property that the road is on. Vote 5-0.**

10. Determine if Proposed \$25,000 Architectural Firm Service will be Placed on the November 6, 2007 Ballot

Jay McIntyre said that \$15,000 was approved on the last ballot for architectural fees regarding the possibility of closing one school. He said the study is complete and indicates that the Town could move to two physical plants in a cost efficient manner. Cost savings from maintenance, custodial services, office, principal and secretary would be \$483,000 per year. In addition closing a school would realize \$3.2 million over 10 years for the primary school and \$2.5 million over ten years for the middle school in capital investment. The cost of the second phase of the consultant's work is \$25,000 to establish a plan and recommendation for proceeding to close a school. It would include a detailed analysis of bringing the remaining two buildings up to code. A request would then be made for State funds to help in the actual closing.

In response to Karl Tarbox's question, McIntyre said a school could not be closed without a vote of the community, and it cannot be closed because of consolidation. Bill Curtis asked about timing of the closing of one building, and McIntyre said that he estimated it would take three years to complete construction, move students and obtain State money.

11. Vote on Language for Contractual Services for November 6, 2007

Duane Goud moved, Bill Curtis seconded, to approve the following language for the November 6, 2007 ballot: Shall the Town vote to raise and appropriate \$25,000 for Contractual Services for Phase Two of Architectural Services to Study the Feasibility of Closing One of the Wiscasset Schools. Vote 5-0.

12. Set Date for Public Hearing for November 6, 2007 Election

David Nichols moved, Duane Goud seconded, to set October 25, 2007 at 6 p.m. at the Wiscasset Middle School for the public hearing. Vote 5-0.

13. Set date for Special Election

Nicole Viele said January 15, 2008 is the State deadline for a vote on school consolidation. **David Nichols moved, Duane Goud seconded, to set January 15, 2008 as the date for a special election. Vote 5-0.**

8. Determine if Proposed Height Ordinance Amendments Associated with the Proposed Gasification Plant will be Placed on the November 6, 2007 Ballot

John Reinhardt, co-president of Stewards of the Sheepscot, said a petition had been presented to the Selectmen opposing the gasification plant. He said this was a regional issue and cited possible chemical spills, and barge and rail traffic as reasons for the opposition. He urged the Selectmen to visit other projects and learn more before acting.

Larry Lomison said the ORC and Comprehensive Plan Committee had worked for months on ordinances and the comp plan, and he compared this to the one month that the ORC had worked on the height ordinance that would allow the gasification plant. He asked that the ORC be given the opportunity to draft an ordinance that would protect the town into the future and look out for the children.

Duane Goud said that there was not a lot keeping children in the state and this was an opportunity to bring them back into Wiscasset and the state.

Karl Tarbox said Wiscasset has two assets that Point East needs, a population that wants jobs and the electrical grid. He said that Point East has asked that the height limitation be increased to 230 feet and that the town has not asked for anything from the developers in return such as regulation of noise, odor, outdoor storage of materials. He said that Point East had agreed to noise and outdoor storage regulation at Mason Station and there was no reason not to hold them to the same standards at the Twin Rivers Energy plant. He recommended that the Selectmen authorize the Town Planner to explore how other parts of the country have handled this situation.

Additional speakers were David Cherry, Sam Selby, Jason Faulkingham, Greg Shea, George Green and Lee Plyer who voiced their opposition to the gasification plant and/or encouraged the Selectmen to delay a vote until more information was available. They cited the potential release of mercury into the atmosphere, lack of information, scale of the proposed plant, uncertain source of water, barges destroying jobs, and lack of adequate ordinances.

Sarah Pierce said her husband, an engineer at BIW, would be visiting a similar plant in Tampa and she hoped he would be able to report to Wiscasset residents, giving them a clear idea of what they would be voting for.

Duane Goud said that when the Maine Yankee plant was originally proposed, there was opposition to it just as there is opposition to this plant, but there are ordinances that apply to the area where the plant would be located. He said the town has the opportunity to move the project forward at the same time the ordinances are being looked at. He said a number of meetings had already been held on the proposal, and he preferred to have the matter voted on in November when traditionally there is a higher turnout than on other dates.

Mark Ramsey spoke in favor of the ordinance as a first step. He said since 1941 coal barges had brought coal to the Mason Station without putting the lobstermen out of business. He added that he had faith in the state and federal governments to oversee environmental issues, and said that the R&D center proposed by TRE would be researching methods of dealing with byproducts of the process.

Nicole Viele left the meeting at 7:40.

David Nichols spoke in favor of giving the people of Wiscasset the opportunity to vote on the ordinance.

Bill Barnes said he would like his children and grandchildren to stay in town and the height of the proposed plant would not bother him if it were safe. He added that the plant would help the town by paying 75% of the taxes.

Bill Curtis spoke in favor of putting the ordinance amendment on the ballot as the first step in the process that includes feasibility studies and answers to the questions voters have. He said the three facilities that are in litigation are not operated the same as the proposed TRE plant. He added that Maine has the most stringent environmental controls (with the exception of California) which are regulated by the DEP and Department of Labor.

Alex Robertson called for a vote on the matter. **Duane Goud moved, David Nichols seconded, to place the proposed height ordinance amendments associated with the proposed gasification plant on the November 6, 2007 ballot. Vote 3-1** (Robertson opposed). Karl Tarbox asked for a legal opinion on placing "proposed gasification plant" on the ballot when there is no proposal. Duane Goud said the ordinance amendment does not specify a "proposed gasification plant."

Duane Goud moved, Bill Curtis seconded, to dispense with the reading of the whole ordinance. Vote 5-0.

Duane Goud read the questions that will appear on the warrant. **Duane Goud moved, Bill Curtis seconded, to approve the language as written for the warrant regarding the ordinance change.** Prior Morrell said that the term gasification plant used in the ordinance amendment was unqualified and could refer to a crematorium or a trash plant, and people needed more information. **Vote 4-0.**

The chairman called for a five-minute recess at 8:10 p.m.

15. Other Board Business

Alex Robertson and David Nichols will be attending the MMA convention on October 3 and 4.

Duane Goud and Bill Curtis will participate in a discussion on the future of county government at a meeting to be arranged by the Boothbay Selectmen.

A workshop on assessments will be held at the Fire Station on Monday, September 24, at 7 p.m. to address concerns of 27 Young's Point residents who have asked to meet with the Selectmen. The workshop will be open to all residents. The chairman has met with Tyler Technology on the assessments, but representatives from Tyler will not attend the meeting.

In response to Bill Curtis' question regarding the Transfer Station, Arthur Faucher said he was waiting to hear from Woody Freeman, Manager.

George Green asked for an update on the town's efforts to obtain its copy of the Declaration of Independence. Arthur Faucher said Senators Collins and Snow were unable to help; it was in the hands of the Attorney General. George Green will contact the state.

Green also asked about the status of the sex offender ordinance and was advised of the current policy and that a vote on the proposed ordinance will be delayed until the new state law is enacted.

In response to a question on televising Selectmen's meetings, Arthur Faucher said they had been recorded and can be put on the air at any time.

17. Announce Future Meetings, Workshops and Events

Selectmen's meetings will be held on October 2, 16 and 30. A public hearing on the November warrant will be held at 6 p.m. on October 25 at the Wiscasset Middle School.

18. Adjourn

At 8:50 p.m. **David Nichols moved, Bill Curtis seconded, to adjourn the meeting. Vote 4-0.**