



Town of Wiscasset

November 5, 2024 Special Town Meeting Warrant Articles Explained

On November 5, 2024, voters will be voting on several questions:

Article 2/Question 1 Summary

To see if the Town will vote to change its retirement plan for its police officers.

Wiscasset participates in the Maine Public Employees Retirement System (MePERS), which offers various retirement plans, including special plans for certain public safety personnel like police officers. These special plans range from 1C or N to 4C or N, with benefits varying based on years of service. The "C" plans include a Cost of Living Adjustment (COLA), while the "N" plans do not. Contribution rates for both employees and employers also differ depending on the plan.

Currently, our police officers are enrolled in the 2C plan, allowing them to retire after 25 years of service (with no age restrictions) and receive half of the average of their three highest years of wages, plus an additional 2% for each year beyond 25, along with a COLA. During labor contract negotiations, the union requested to switch to the 3C plan to align with most other towns and counties in the region. The 3C plan offers employees two-thirds of the average of their three highest years, instead of half, but requires a higher contribution rate.

For the town, switching to the 3C plan would mean a 1% increase in the employer contribution rate (from 11.8% to 12.8%), resulting in an additional \$4,200 in contributions. However, the union agreed to offset most of this increase by raising their share of the town's health insurance premium from 15% to 20%, covering all but \$470 of the additional cost.

Article 3/Question 2 Summary

To see if the Town will authorize the relocation of the wastewater plant to the property of the public works garage and relocate the public works garage to the property of the transfer station.

This article seeks to authorize the relocation of the town's wastewater treatment plant from its current location to the current site of the public works garage, and to relocate the public works garage to the transfer station site.

The need for this relocation stems from a report submitted in July 2022 by Olver Associates Inc., which evaluated the town's wastewater collection system. A key concern highlighted in the Climate Adaptation Report is that the current wastewater plant sits in a designated floodplain. Due to rising sea levels, the plant is at significant risk of flooding during major storm events, such as a category 2 hurricane or a 100-year flood. This vulnerability was confirmed by two severe storms in January 2024, when the plant was dangerously close to being inundated by

floodwaters. A temporary sand berm was constructed to prevent river water from flooding the plant's tanks and releasing untreated sewage into the Sheepscot River.

Initially, improvements to the existing plant—such as building flood defenses—were considered and approved by the Maine Department of Environmental Protection (DEP). However, after further discussions with the Environmental Protection Agency (EPA), the plan was rejected, as no funding would be provided for a plant in such a flood-prone area.

Several relocation sites were considered, with the public works garage site emerging as the most feasible option. Other town-owned sites were ruled out due to proximity to sensitive areas like schools or high redevelopment costs. The public works garage site is close to both the river and the existing wastewater collection system, which minimizes construction costs for new main lines and pumps. Although adjacent landowners offered to sell additional property near the garage to avoid building a new one, the DEP determined that these lands were unsuitable due to wetlands and drainage issues. The plant will need to be placed where the garage currently stands.

Several privately owned properties were also evaluated, but none of the suitable landowners were willing to sell, making the public works site the most viable option. While eminent domain remains a potential route, it is not preferred.

The new plant can be designed to blend in aesthetically. Modern measures like enclosed sludge dewatering and air scrubbers will be implemented to prevent odor issues.

Cost considerations are critical. Grants, including federal funds made available through recent legislation like the Bipartisan Infrastructure Bill, may reduce the financial burden, but they won't cover all expenses. The town may need to explore additional funding sources, such as capital reserves, loans, or increases in fees or taxes. Timing is crucial, as these federal funds won't be available indefinitely, and grants can only be applied for once a site is selected.

This article does not authorize new expenditures beyond what is already appropriated but allows the town to move forward with securing a suitable site for the project. The entire project is estimated to cost \$50 million in terms of relocation to the public works site and the building of a new public works garage. Sites beyond the public works site are estimated at \$50 million or more for the plant alone.

Articles 4 & 5/Question 3 & 4 Summary

To amend Wiscasset Town Ordinances Article I Town Officials and Article IV Port and Harbor

Several town boards and committees are established by ordinance, and some allow non-residents to serve as members. In some cases, non-residents are permitted to vote on committee matters, while in others they are not. For example, the airport committee does not currently allow its non-resident member to vote.

In the spring, the airport committee requested that the non-resident member be allowed to vote. They explained that they often struggle to reach a quorum without the non-resident, preventing them from conducting official business. The select board discussed whether non-residents should be allowed to vote and if they should even be permitted to serve on town committees at all.

A public hearing was held, where most comments were from the airport committee in favor of the change, though comments were made that non-residents should not serve on any committee.

We consulted the Maine Municipal Association (MMA) for guidance. MMA informed us that the only statutory requirements for appointment or election to a board or committee are U.S. residency, Maine residency, and being 18 years of age or older, with two exceptions: select board members must be registered voters of the town, and school board members must be town residents. Further residency requirements can only be imposed by a municipal charter, which Wiscasset does not have.

To resolve the issue, the select board agreed with MMA that the simplest approach is to remove the ordinance language about non-residents serving on committees. The select board already has the authority to determine who serves, and the issue can be more effectively addressed through the town's committee appointment process and policy rather than in the ordinances themselves.

Article 6/Question 5 Summary

To authorize the treasurer to waive foreclosure of a tax lien on real estate.

Foreclosing on defective properties can impose significant liabilities on a municipality, often resulting in costs that exceed the taxes owed. Such properties may have defects like environmental hazards, requiring costly cleanup efforts.

When a town takes ownership, it becomes responsible for these liabilities, potentially leading to financial burdens greater than the unpaid taxes. For example, the town foreclosed on two uninhabitable mobile homes and not only failed to collect the taxes owed but also had to pay for their dismantling and disposal, increasing the financial strain.

Defective properties typically have little to no market value and are difficult to repurpose, making them more of a liability than an asset. Ownership obligates the town to maintain the property, address safety concerns, and handle any legal issues, which can divert resources from other needs. The proposed authorization allows the town to assess each foreclosure on a case-by-case basis. If a property is likely to become a liability, the town can choose to avoid foreclosure, protecting itself from future costs and complications.