

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
APRIL 1, 2014

Present: Vice Chair Judy Colby, Pam Dunning, Tim Merry, Chair Ed Polewarczyk, Jeff Slack and Acting Town Manager Sue Varney

1. Call to Order

Chair Ed Polewarczyk 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: March 25 and April 1

Pam Dunning moved to approve the Treasurer's Warrant of March 25, 2014. Vote 5-0-0. Pam Dunning moved to approve the Treasurer's Warrant of April 1, 2014. Vote 5-0-0.

4. Approval of Minutes: March 18, 2014

Judy Colby moved to approve the minutes of March 18, 2014. Vote 5-0-0.

5. Appointments

A. To appoint Election Clerks for a term of April 1, 2014 to April 1, 2016: **Pam Dunning moved to appoint the list of election clerks as presented by the Town Clerk. Vote 5-0-0.**

B. To appoint Peter Todd Travis to the ORC: **Pam Dunning moved to regretfully accept the resignation of Conrad Schilke from the ORC and thankfully appoint Peter Todd Travis to the ORC for the balance of Conrad Schilke's term through December 31, 2014. Vote 5-0-0.**

6 Public Comment

Ed Polewarczyk announced the following meetings: April 14, 6 p.m., public hearing on school budget; May 14, District budget vote; and June 10, vote on school budget at an open town meeting. He said he had heard no objection to the open town meeting for the school budget although it comprises 80% of tax bills, whereas there had been objection to an open town meeting for approval of the town budget which makes up only 10-12% of the tax bill.

In response to Ben Rines' recent letter to the editor indicating the open town meeting could be closed with a motion to adjourn in less than a minute, Ed Polewarczyk said that Rines had the right to move to close the meeting; it would require a second and a simple majority vote. Under Robert's Rules the motion to adjourn is not debatable; however, under the Maine Moderators' Rules, the decision to allow discussion is up to the moderator.

The chairman outlined the consequences if the open town meeting were adjourned without any action being taken: The selectmen could at their June 3 meeting establish a secret ballot no sooner than 45

days from that meeting, or mid-July. A new Selectboard would be seated but without an approved budget, the town would close July 1, and all employees would be terminated. The new Selectboard could hold an open town meeting to approve the severance pay of \$256,000 to terminated employees, but without a town clerk or funds, a secret ballot would not be possible.

Ben Rines asked why the board was defying the wishes of the townspeople and cited the hardship people would face by not being able to vote by secret ballot. He said the townspeople were owed an explanation why the board did not trust people to go to the polls.

Bill Barnes speaking in favor of a secret ballot said that people had told him they look at the recommendations on the ballot and vote for the budget committee's recommendation, as they know the budget committee is looking out for the voters.

Steve Mehrl asked the board to consider putting a 3/12 funding question on the June 10 ballot.

Norman Guidoboni polled the selectmen on the number of people who had told them they didn't understand the ballot. Jeff Slack – 0; Tim Merry – a few; Pam – did not know but she had heard from people who wanted the open town meeting; Ed Polewarczyk – about 60%, and 2 out of 3 favored an open town meeting.

Bob Blagden said the majority of voters voted for a secret ballot (786 to 501) and it was the duty of the selectmen to uphold the vote.

George Green said the town would be lucky to get 5% of voters at an open town meeting and did not like 5% speaking for 95% of the people. He added that twice as many people would vote absentee rather than go to an open town meeting.

Steve Mehrl said because there are so many articles, he would prefer to read them at home rather than sit on a metal chair at open town meeting. He said it was important that the public understand the difficulty of wording the articles to say what they mean and the wording may be misleading.

Judy Colby moved to revisit how the town will vote on the town budget whether it is open town meeting or referendum. She said the board was doing a disservice to the people of the town and added that she had not heard from people who didn't know what they were voting for. The selectmen had put out information on the ballot items and she was in favor of a secret ballot.

Jeff Slack said at two previous open town meetings, half the voters had told him that they favored the open town meeting. He added that the voters can discuss and amend an issue at an open town meeting whereas with a secret ballot they can only vote an item up or down.

Pam Dunning said that in the past voters had been confused by questions on the ballot: they had voted no on the WCC generator because they thought it was the one for the municipal building. She added that in 2005 it was voted to go to a secret ballot but the year before it was turned down. She suggested asking the question again.

Tim Merry said that he has not had anyone express an opinion. His initial decision was to have an open town meeting, but now was concerned with the lack of absentee ballots. If absentee ballots represented 35% of the voters, that meant 65% could come to an open town meeting.

Ed Polewarczyk said in 2005 the people voted by a large majority for a secret ballot and the selectmen had attempted for a number of years to make the secret ballot work. He said the biggest issue is that with an up or down vote, the budget numbers can't change and process drags on and on. He said it is not a matter of trusting the voters, it is the only way the selectmen can meet their obligations. Some voters may be excluded, but in a democracy participation is needed. **Colby's motion failed on a 1-4-0 vote.**

In response to Steve Mehrl's question, Ed Polewarczyk said that the town approved a \$2 million bond; however, it appears less will be needed. The town owes \$502,000 to the RSU and the town will need \$700,000 for summer salaries. In addition, the town has authorized \$50,000 for the superintendent's needs. A bond will be issued when the total is known.

7. Department Head or Committee Chair Report

A. Commercial Waste Haulers - Ron Lear: Lear recommended no change in the fee schedule. **Jeff Slack moved to approve the commercial waste hauler fee of \$300. Vote 5-0-0.**

B. Update on Sewer and Water District joint project – Buck Rines: Rines, Tim Sawtell (Dirigo Engineering) and Chris Cossette (Water District) updated the board on the project which is being funded by a USDA \$974,000 loan and \$226,000 grant which should be approved within a month. The grant includes 1) An upgrade of force mains on Birch Point Road, pump stations #7, #8, and #9 to increase flows and reduce pumping time which will save operating energy costs. The Water District is also planning an upgrade to be funded by a grant. Both projects will be bid together and according to a draft Memorandum of Understanding, the bid would be awarded for the lowest overall price. 2) The Federal Street interceptor which will be cleaned, flushed and lined with a fiberglass pipe. 3) A partial upgrade of pump stations #10, #11, and #12 which are all over 30 years old. The Water District is on the same schedule and should be able to go to bid and start construction jointly with the Sewer Department.

8. Unfinished Business

A. Presentation on tabulators for Open Town Meeting: Jane Lafleur issued handheld tabulators to those present and demonstrated their use for voting at an open town meeting. Votes will remain anonymous and take the place of a hand vote. The machines are used for town meetings by Damariscotta and Newcastle. There is no limit to the number of questions that may be voted on. After the voting is closed, the tally of the votes is shown and a pie chart of the results is displayed. The results are given to the Town in an excel document. Lafleur has 400 units available; however, if more than that number of voters attend the open town meeting, the machines will not be used. The cost will be approximately \$1,100 **Pam Dunning moved to go forward with the use of the tabulators. Vote 4-1-0.**

9. New Business

A. Bids for washer extractor for Fire Department - The following bids were received:

Bergeron, Epsom, NH	\$6,389.00
HSE, Portland	6,145.00
Fire Tech & Safety, Winthrop (3 bids)	5,207.50
	5,788.75

6,781.25

Pam Dunning moved to authorize the Fire Chief and Town Manager to review and accept the lowest qualified bid. Vote 5-0-0.

B. Approval of Frank Sprague and Sprague’s Lobster as a vendor on the Main Street Pier: Judy Colby moved to approve Frank Sprague and Sprague’s Lobster as a vendor on the Main Street Pier. Vote 5-0-0.

C. Approval of Pamela Shockley and The Maine Craft Shack as a vendor on the Main Street Pier: Judy Colby moved to approve Pamela Shockley and The Maine Craft Shack as a vendor on the Main Street Pier. Vote 5-0-0.

D. Approval of Naomi Bonang and Two Bridges Regional Jail Industries as a vendor on the Main Street Pier: Judy Colby moved to approve Naomi Bonang and Two Bridges Regional Jail Industries as a vendor on the Main Street Pier. Vote 5-0-0.

E. Board approval of Healthy Kids request to put “Pinwheels for Prevention” on lawn in front of Town Office: Jeff Slack moved to approve putting “Pinwheels for Prevention” on lawn in front of town office. Vote 5-0-0.

10. Town Manager’s Report

A. Use of Scout Hall: Ed Polewarczyk, referring to a memo regarding the use of the Scout Hall by a for-profit organization, said the Town did not have a policy for, and has not allowed, the use of town buildings by for-profit groups. The memo to the board from Sue Varney said the Scout Hall was being used by Seeds of Knowledge Education Center who through what appeared to be a misunderstanding had rented the building from the Girl Scouts. Although it was suggested that the matter be brought up at the next meeting, it was the consensus that immediate action be taken. **Tim Merry moved to give the Town Manager the authority to remove the business immediately. Vote 5-0-0.**

B. Spirit of America Award: Ed Polewarczyk announced that the Spirit of America is looking for nominations of volunteer organizations located in Wiscasset to be considered for an award.

11. Other Business

At 8:37 p.m., Judy Colby moved to go into executive session pursuant to 1 M.R.S.A. §405 (6)(A) on a personnel matter. Vote 5-0-0. At 8:40 p.m., Pam Dunning moved to exit executive session. Vote 5-0-0.

At 8:42 p.m., Pam Dunning moved to go into executive session pursuant to 1 M.R.S.A. 405(6)(C). Vote 5-0-0. At 8:55 p.m., Tim Merry moved to exit executive session. Vote 5-0-0.

12. Adjournment

The meeting adjourned at 9 p.m.