

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
JULY 2, 2013

Preliminary Minutes

Tape recorded meeting

Present: Selectmen Vice chair Judy Colby, Pam Dunning, Tim Merry, Chair Ed Polewarczyk, and Jeff Slack, Town Manager Laurie Smith and Budget Committee members Bill Barnes, Bob Blagden, Robert Hanson, Norman Guidoboni, John Merry, and Ray Soule

1. Call to Order

Chair Ed Polewarczyk called the meeting to order at 5:05 p.m.

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

3. Discussion of Warrant Articles and Department Budgets with Budget Committee

Ed Polewarczyk asked the Budget Committee members to give their position on each article, the reason they have taken that position, how they expect the work to get done and what their recommendations are. The public would then be given a chance to speak followed by the selectmen's comments.

Planner Position:

Laurie Smith said there is no increase in the Planning Budget from last year; there is a \$291 decrease in the department line items, a 2% cost of living increase and a salary adjustment to bring the position to what the market in the area is and for what the job has become.

Budget Committee:

The Budget Committee members with one exception opposed the funding of the planner position because they saw no economic growth in the town and recommended eliminating the position.

Public:

Michelle Peale, Marianmade Farm; Gary Crosby, Wiscasset marketplace; Shari Dunbar, C of C; Dan Sortwell; Frank Barnako; Steve House, Planning Board Chair; Doc Schilke, ORC; Bob Faunce, Lincoln County Planner; Mary Ellen Barnes, LCED; Lester Morse, Planning Board; and Cheryl Rust, Le Garage, spoke in favor of funding the planner position citing Misty Parker's involvement with the Chamber of Commerce, her assistance to local businesses and the need for her knowledge and experience in guiding the ORC and Planning Board.

Select Board:

Jeff Slack said, after hearing the public comments on the planner budget, he recommended putting the budget out to vote again. Pam Dunning cited the accomplishments of the office in addition to working with local business, such as recognizing areas open for development, looking for opportunities for growth, and applying for grants, and said it would be a mistake to eliminate the position. Tim Merry said if there was any change to be made, it would be to change her title considering the many things she does and he recommended funding the position as submitted. Judy Colby said eliminating the funding would be detrimental to the town. She cited the new businesses in town and Misty Parker's work with the town on the Mason Station problem. Ed Polewarczyk said with the current planner, the town is now

business-friendly; and with the diligent work of the planner, the raceway would not have happened. He recommended the same budget number as in the past.

Laurie Smith said in the two years Misty Parker has been in her position she has effected the establishment or growth of 20 businesses . She said when the town makes a decision for a financial reason, such as eliminating the position, the town will not be taking steps toward being business-friendly.

Assessing:

Laurie Smith explained that there was an increase in contractual wage because of a grade level change and although the budget had decreased in several line items, the actual increase was \$7500. The change in grade level recognized additional duties such as Human Resources, 911 addressing, reconciling accounts and acting Town Manager.

Budget Committee:

Bob Blagden said the biggest issue is the increase in wages, which was out of line, and he recommended combining the Assessor's position with the executive secretary position. Committee members agreed.

Public:

Michelle Peale spoke of the assessor's value and in favor of maintaining the current budget figure. Gary Crosby said the 17% raise would be hard to sell but if there is no money, there is no position and he encouraged renegotiating with the union in order to keep the position. Dick Grondin commented on the 17% increase and asked if there were negotiations or offsets. Laurie Smith said in the past when the assessor was acting town manager she received the difference in salary between the two positions but this was eliminated and there was a decrease in health and retirement benefits.

Select Board:

Judy Colby said the salary was negotiated with the union and she doubted the union would renegotiate. She noted that without an assessor, the town would need to employ a lawyer to deal with cases appealed to the County; and added that the town would have to pay \$68,000 to lay off the assessor. Tim Merry said this was a good reason to have an open town meeting where budget items could be changed if people were informed about the give-backs. Pam Dunning said that in the past without an assessor, the board did the assessing without training, which resulted in inequalities. She added that the Town needs someone trained in the software that is used to determine whether abatements are needed. Jeff Slack asked whether the two-step change in pay grade could be done over two years and was told it was negotiable. Ed Polewarczyk said the union negotiations took nine months and some of the raises were only possible because employees had given up medical benefits. The assessor's increase is a result of correcting an inequality over the years in the multiple duties.

Laurie Smith said the raise was fair pay for the position and the increase should have been made over a number of years. A severance package would cost as much.

Transfer Station:

Laurie Smith said the increase in the budget was \$30,000, mostly from the purchase of bags for the Pay as You Throw program.

Budget Committee:

Ray Soule said \$30 per hour for overtime on Saturday was astronomical and suggested having part time people work instead. Bob Blagden said the overtime and part-time salaries were too high, the transfer station was overstaffed and too much money had been spent on equipment. Bill Barnes said other savings could be made by taking care of other towns and everything that comes in could reduce the budget. John Merry's concern was the PAYT and how well educated the public was. Richard Hanson was concerned with the PAYT and the overtime as well as the money spent on a new truck which gives no better mileage. Norm Guidoboni recommended cutting one position by attrition and eliminating overtime.

Public:

Michelle Peale said she was concerned how a cut in hours would affect the townspeople and whether this would result in people leaving trash on the side of the road. Robert Wolfe described the difficulties in dealing with chemicals, needles, etc. and other trash and said it was appalling that people would want to cut positions. The transfer station could not be maintained without the current number of employees. Gary Crosby said attrition is not the way to reduce hours, the Transfer Station should be run efficiently like a business. Constance Schumann said there was some confusion over the PAYT and budget questions on the warrant. Judy Flanagan said it was difficult to know what a no vote meant without a public hearing.

Board:

Jeff Slack, Judy Colby and Tim Merry recommended sending the warrant article back to the public after eliminating the \$30,000 for bags. Pam Dunning agreed, saying experience has shown that cutting staff hours or hours of operation does not work.

15 minute recess

Code Enforcement Officer:

Laurie Smith said there was a 11% salary decrease to \$5500 and a decrease in hours from 34 to 20.

Budget Committee:

Dick Hanson said taxpayers cannot make this decision because the CEO is a union position; the select people have to make a recommendation. Norm Guidoboni recommended a \$3000 stipend for an on-call CEO as needed at \$20 per hour. Bob Blagden and Ray Soule agreed that one person could take care of more than one town. Bill Barnes said a part-time employee should not get benefits.

Public:

Gary Crosby said it is important to have the CEO, whether shared or on a stipend. Karl Olson said a part-time CEO from his experience sometimes means a week's delay and also, since the CEO is an enforcement officer, he needs time to investigate and initiate.

Selectmen:

The selectmen agreed that a new contract could not be negotiated until 2015; under the current contract. pay rate and benefits are stipulated. Pam Dunning pointed out that union and non-union positions could not be combined; the CEO is a union position and the planner position is not.

Laurie Smith said the benefits are prorated; the union wanted full benefits for a part time position, but this was negotiated. She said she budgeted for the worst case scenario with a family benefit package.

Contingency:

Budget Committee:

The Budget Committee recommended that the Contingency amount be reduced to \$30,000. A legal opinion will be needed to determine whether the 3/12 of the budget already approved is added to whatever new number is voted on by the town, or whether the second vote is the total for this budget item.

Board:

Ed Polewarczyk expressed concern that \$30,000 would not be sufficient if the town cannot meet its obligations and mediation or arbitration is necessary. If the assessor's budget is not approved, the Town will need contingency funds to pay off the assessor's benefits.

Capital Improvement:

Budget Committee:

The committee was in favor of listing items separately so that people could vote on them and decide what they wanted to support with their tax money. Bob Blagden took issue with the expense of a Public Works truck; the department has nine pieces of equipment and four drivers.

Public:

Steve Mehrl said the town needs a capital improvement plan that includes roads, vehicles, buildings with value and estimate of life span. If the capital reserve funds are voted again, there must be a vote to accept the funds from the reserve account.

Selectmen:

Pam Dunning said there is a plan and the items on the top of the list were included in the capital improvement funding. She said the list needs to be voted on as a whole to give flexibility in spending the funds. If voted separately, funding for the items that are not approved cannot be spent on other items. The board agreed on one warrant article for capital reserve funds. Tim Merry opposed \$55,999 for fire truck because it was never the expectation that after 25 years it would be repaired and kept running.

Laurie Smith said capital reserve funds are needed for items like roof repair. If voted on as a whole, the \$55,000 for fire truck repairs (which isn't needed) could be spent on something else without affecting the tax rate.

Ed Polewarczyk said the goal of reducing the budget by \$300,000 had been more than met. He thanked the public and Budget Committee for their participation. In order to vote on the budget by September 10, the selectmen will have their final recommendations by July 16; the Budget Committee will meet on July 18 to make its recommendation.

4. Executive Session to discuss personnel and labor negotiations

Ed Polewarczyk moved to postpone the executive session to the end of the meeting. Vote 5-0-0.

5. Approval of Treasurer's Warrant: June 25, 2013 and July 2, 2013

Judy Colby moved to approve the Treasurer's Warrant of June 25, 2013. Vote 5-0-0. Judy Colby moved to approve the Treasurer's Warrant of July 2, 2013. Vote 5-0-0.

6. Approval of Minutes, June 18, 2013

Judy Colby moved to approve the minutes of June 18, 2013 as amended. Vote 5-0-0.

7. Special Presentations or Awards

A. Fourth of July activities: The parade will begin at 10 a.m., staging at 9, Judy Colby, Pam Dunning, Ed Polewarczyk and Jeff Slack will be riding in convertibles, pirates will attack the harbor at noon, family activities will begin at 5 with music and fireworks to follow.

8. Appointments

A. Selectmen to serve as labor negotiation team: **Pam Dunning moved to appoint Judy Colby and Ed Polewarczyk to the labor negotiation team. Vote 5-0-0.**

B. Senior Center: **Jeff Slack moved to appoint Cyndy Lewis, Arlene Polewarczyk, Rudy Rines and Gail Burke as Senior Center Trustees for a term to expire on June 30, 2016. Vote 4-0-1 (Ed Polewarczyk abstained).**

9. Public Comment – none

10. Department Head or Committee Chair Report – none

11. Unfinished Business

A. Montsweag Roadhouse sewer agreement: Laurie Smith reported that she had met with Chris Johnson and he is evaluating the draft agreement.

B. Quit Claim Deed for Mabel McAfee Property: Judy Colby moved to authorize a quit claim deed to Glenn McAfee for Map R04, Lot 1. Vote 5-0-0.

C. Tax Acquired Bid for Map U-17, Lot 4B: One bid for the property had arrived after the deadline. It was the consensus of the board to develop a policy for tax-acquired properties before taking further action.

D. Discussion of Draft Tax Acquired Policy: The board discussed three sample policies for dealing with tax acquired properties. Because the Treasurer had been working with delinquent tax payers, receivables had been reduced and it was decided not to give priority to family in the bid process. It is assumed that family members are aware of the situation and could at any time pay back taxes in order to obtain a quit claim deed. It was the consensus that priority would not be given to abutters. The board discussed whether minimum bids should be 25% of assessed value or a minimum of taxes due plus interest and administrative costs. Listing the property with a realtor was discussed as well as the need for a declaratory judgment if sold through a realtor. Only quit claim deeds are given to the

successful bidder under the bidding process. Laurie Smith will bring back a draft policy for the board's consideration.

12. New Business

A. Tax Anticipation Note Bid: The following bids were received:

	<u>As Needed</u>	<u>Lump Sum</u>
The First	1.01%	.99%
Bath Savings Institution	0.79%	0.79%
Camden National Bank	1.02%	1.02%
Norway Savings Bank	1.09%	1.09%

Judy Colby moved (1) That under and pursuant to Title 30-A, Section 5771 of the Maine Revised Statutes, as amended and supplemented, there be and hereby is authorized the issuance of a \$3,000,000 principal amount Tax Anticipation Note of the Town in anticipation of the receipt of taxes for the municipal fiscal year which commenced July 1, 2013 and ends June 30, 2014.

(2) That said Note shall be dated July 12, 2013, shall mature on June 30, 2014, shall be signed by the Treasurer and countersigned by the Chairman of the Board of Selectmen, shall bear interest at the rate of .79% per annum accruing on an as needed basis, shall be payable at June 20, 2014, 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 Institution.

(4) That said Note is hereby designated qualified tax exempt obligation of the Town for the 2013 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.

13. Town Manager's Report

Smith has locked in a fuel oil price of \$3.13 for six months with M. W Sewell beginning October 1 and hopes to get a better price for the second half of the year. There was no diesel bid.

An RSU public hearing will be held July 9 at 7 p.m. at the Middle School Gym regarding the withdrawal agreement and cost to leave the RSU.

Smith, reporting on the financial condition of the town, said the TAN had been paid on June 30 and after reimbursement from the federal government, there was \$140,000 in the bank.

14. Other Business

Pam Dunning moved that the of Selectmen go into Executive Session pursuant to Title 1, M.R.S.A., §405(6)(A) for the purpose of discussing labor contracts. Vote 5-0-0. At 9:35 p.m. Judy Colby moved to return from Executive Session.

15. Adjournment

Judy Colby moved to adjourn at 9:36 p.m. Vote 5-0-0.