

WISCASSET BOARD OF SELECTMEN,  
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR  
JULY 16, 2013

Present: Vice Chair Judy Colby, Pam Dunning, Tim Merry, Chair Ed Polewarczyk, Jeff Slack and Town Manager Laurie Smith

1. Call to Order

Chairman Ed Polewarczyk called the meeting to order at 6 p.m.

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

3. Discussion of new Road Ordinance with Ordinance Review Committee

Following the workshop with the selectmen in February, the Ordinance Review Committee worked on the ordinance to make it as fair and equitable as possible and has presented it to the selectmen for feedback. If approved by the selectmen, the ordinance will be on the November ballot.

Karl Olson, Chair of the ORC, said the ordinance would apply to construction, expansion and lengthening of all roads and driveways within the town. He explained the difference between the standards for public and private roads and between those for the various types of public roads. The ordinance would call for improvements consistent with standards when the third house is built on an existing driveway or private road. Responsibility for the road improvement may lie with the owner of the third house to be built or with a road association. There are tiers of standards for private roads, depending on the number of houses on the road.

There were comments from the board on the expense to a homeowner of bringing the road up to the new standards, but it was explained that the homeowner had an expectation of public services such as fire, police and ambulance which would require the necessary improvement in the road. Two examples of private roads that do not meet standards to become public roads were discussed. Olson said the ordinance gives the Planning Board some leeway in enforcing the road standards.

Changes to the ordinance may be made during July and August, a public hearing will be held, and if the selectmen feel the ordinance is not acceptable, it will not be on the November ballot.

4. Approval of Treasurer's Warrant: July 9, 2013 and July 16, 2013

**Jeff Slack moved to approve the Treasurer's Warrant of July 9, 2013. Vote 5-0-0. Judy Colby moved to approve the Treasurer's Warrant of July 16, 2013. Vote 5-0-0.**

5. Approval of Minutes: July 2, 2013

**Pam Dunning moved to approve the minutes of July 2, 2013 as amended. Vote 5-0-0.**

6. Special Presentations or Awards – none

7. Appointments – none

8. Public Comment

George Green advised the board to read the agreement the Town of Wiscasset has with the Town of Edgecomb regarding maintenance, liability and insurance of the sewer line before approving the extension of the sewer to a private party outside the town limits.

Al Cohen said the Planning Board and Ordinance Review Committee need the support of the planner; if there is no planner, it would be impossible for the board and committee to operate.

Anne Leslie said she has worked with the town planner on the conservation commission, Chamber of Commerce, and comprehensive plan; and losing the town planner at this point would be a step backward. She also supported the essential services provided by the Transfer Station, CEO and Assessor whose budgets will be voted on in September.

Chris Dilts said the Budget Committee has lost the pulse of the town when it said there was not much growth in the town. He said he was not in favor of the budget cuts because the town needs services to attract new business and homes, and the town cannot expand its tax base without growth.

Charlie Huntington said it was a pleasant change to work with Misty Parker and Laurie Smith and in the long term this attitude should attract people. He suggested that planning might have averted the problems with the roads.

9. Department Head or Committee Chair Report – none

10. Unfinished Business

A. Discussion of Conservation Commission document regarding the Montsweag Brook parcel

In response to Anne Leslie's questions, Laurie Smith said the engineer was preparing a report on the dam which will be ready in another week. The Board of Selectmen had discussed the tasks such as boundary, access, working with abutters, and what public access will look like; and the committee has already begun those tasks. There was a consensus of the board that the commission should continue with the next steps. Ed Polewarczyk said an access map was necessary and the next priority should be a management plan drafted in collaboration with the DEP. **Jeff Slack moved that the commission should move forward with the next steps (Item 7, A-K).** Pam Dunning recommended that only leashed dogs be allowed, hunting not be allowed and swimmers be warned that no lifeguard is on duty and they swim at their own risk. Leslie recommended that someone at the town be available for meetings with the landowners. **Vote 5-0-0.**

B. Executive Session to discuss labor negotiations

**Jeff Slack moved that the Board of Selectmen go into Executive Session pursuant to Title 1, M.R.S.A., §405 (6)(D) for the purpose of discussing labor contracts with the support unit. Vote 5-0-0.** The board entered executive session at 7:18 and exited at 7:43 p.m. **Pam Dunning moved to come out of Executive Session . Vote 5-0-0.**

### C. Discussion of Department Budgets for the September 10<sup>th</sup> special election

#### Planner:

Karl Olson, Planning Board, ORC, Comp Plan Committee and business owner, said he always recommends that his clients to contact the town planner and spoke in favor of the funding.

Chip Davidson agreed that the planner position should be funded and said the town should eliminate a step backward but make Wiscasset a destination town.

Judy Colby said the planner position was vital, had attracted small businesses to town and she was in favor of \$75,958.

Jeff Slack recommended eliminating the \$3000 increase and setting the budget at \$72,559.

Pam Dunning said other employees had received raises and the planner should be treated equally.

Tim Merry recommended bringing back \$75,958.

Ed Polewarczyk said the salary increase was comparable to other raises and the planner had given up medical benefits. He recommended staying at \$75,958.

Judy Colby moved to set the value at \$75,598. Vote 3-2-0. Ed Polewarczyk moved to recommend \$75,958 on the ballot. Vote 5-0-0.

#### Code Enforcement Officer:

**Jeff Slack moved to bring back the article at \$40,010, a \$3,000 cut in benefits for six months. Vote 5-0-0. Pam Dunning moved to recommend \$40,010 go on the ballot. Vote 5-0-0.**

#### Assessor:

Judy Colby said the increase in salary was not a 17% raise; it was 2-3%. The contract was negotiated and accepted and if the amount is reduced, the town will be in violation and open to mediation and litigation. If the assessor's contract is terminated, it will cost the town \$68,000.

Pam Dunning agreed but would like to present a budget that will pass. She said she was concerned that the budget would not pass and the contract would have to be renegotiated.

Tim Merry agreed that there was no other option.

Jeff Slack agreed with Pam Dunning.

Ed Polewarczyk listed the duties and the benefits that had been given back to negotiate the salary and recommended that the figure not be reduced. **Ed Polewarczyk moved that the budget value for the assessor be \$74,719. Vote 3-2-0. Judy Colby moved to recommend \$74,719 to the voters. Vote 5-0-0.**

Transfer Station:

Jeff Slack recommended that the budget for the Transfer Station be reduced to \$512,124, a decrease of \$30,000, the cost of the PAYT bags. **Pam Dunning moved to set the value at \$512,124. Vote 5-0-0. Pam Dunning moved to make a recommendation to the voters of \$512,124. Vote 5-0-0.**

Contingency:

Pam Dunning said the contingency will be needed if other budget items fail; there will be a financial problem, particularly if the assessor's budget fails. The public should know that the selectmen will be coming back for additional funding to cover the town's liabilities. She added that the contingency amount is not intended to cover budget items that fail but unforeseen expenses such as the leaking oil tank last year.

Judy Colby agreed that the \$40,000 should not be reduced.

Jeff Slack recommended nothing for contingency because it probably would be necessary to go back to the voters anyway.

Tim Merry said he favored \$30,000; although it may not be enough. He said that is what Special Town Meetings are for.

Ed Polewarczyk agreed with the \$30,000 figure. **Pam Dunning moved to set the value at \$30,000. Vote 4-1-0. Pam Dunning moved to set the recommendation on the warrant at \$30,000. Vote 4-1-0.**

Capital Items:

Laurie Smith said the language to withdraw the funds will be included in each article.

Road and Sidewalk Repair - \$121,384: **Jeff Slack moved to recommend \$121,384. Vote 5-0-0.**

Fire Truck - \$55,000: According to Tim Merry, the repair of the fire truck after the 25-year lifespan was never planned. Instead, potential expenditures for the fire capital improvements are \$30,000 for a 2014 special service vehicle and \$10,000 for an extractor to clean turnout gear with associated plumbing. Jeff Slack asked that the items be listed separately. **Pam Dunning moved to set the value at \$30,000 for a pickup truck. Vote 5-0-0. Pam Dunning moved to recommend \$30,000. Vote 5-0-0. Judy Colby moved to set the value at \$10,000 for an extractor. Vote 5-0-0. Pam Dunning moved to recommend \$10,000. Vote 5-0-0.**

Public Works Truck - \$55,000: **Judy Colby moved to set the value at \$55,000. Vote 5-0-0. Pam Dunning moved to recommend \$55,000. Vote 5-0-0.**

Municipal Generator - \$33,000: **Judy Colby moved to set the value at \$33,000. Vote 5-0-0. Pam Dunning moved to recommend \$33,000. Vote 5-0-0.**

Wastewater Pump Repairs - \$13,500: Because the fire department request had been reduced by \$15,000 **Ed Polewarczyk moved that the wastewater pump repairs be increased to \$28,500. Vote 5-0-**

**0. Pam Dunning moved to set the value at \$28,500. Vote 5-0-0. Pam Dunning moved to recommend \$28,500.**

Municipal Building Roof Repairs - \$35,000: Repairs are for only the office portion of the building. **Pam Dunning moved to set the value at \$35,000. Vote 5-0-0. Pam Dunning moved to recommend \$35,000. Vote 5-0-0.**

Pam Dunning said putting all requests in one warrant article would follow the selectmen's policy for using capital reserve funds and gives the selectmen flexibility to use funds for items that are either over- or under-funded. Jeff Slack said people have asked that the items be listed separately. Judy Colby said this should be one article giving selectmen flexibility. Tim Merry said the tax-payers have spoken clearly and the articles should be separated out. Ed Polewarczyk said the process allows the selectmen to make use of the market growth of the reserve account and it benefits the town to include all capital items in one article so that any excess funds can be used as needed; however, the voters had asked that the items be listed separately. **Jeff Slack moved to keep the items separate. Vote 3-2-0.**

The article authorizing the town to spend 3/12 of the budget for failed articles was discussed. The amount approved in September will not be in addition to the 3/12 that was already approved. Ed Polewarczyk warned of the consequences should the 3/12 article not pass, particularly in case the assessing budget fails where severance pay would be due, and there would be no authorization for the work to be done. **Ed Polewarczyk moved to add the 3/12 article to the warrant. Vote 3-2-0. Pam Dunning moved to recommend approval of Article 2. Vote 3-2-0.**

D. Opening of Bids for Waste Water Treatment Chemical Feed Pumps

The following bids were received:

Moulton Construction, LLC	\$9,200.00
Apex Construction	8,845.00
T. Buck Construction	7,555.50
Stevens Electric and Pump Service	9,478.00

**Judy Colby moved to authorize the Town Manager to award the bid to the lowest qualified bidder. Vote 5-0-0.**

E. Discussion of Draft Tax Acquired Policy

Laurie Smith said she had updated the previous policy addressing concerns of the board and giving it flexibility to respond to different circumstances. The policy lays out a stepped approach including the opportunity for the Town Manager to waive foreclosure, giving department heads an opportunity to review the list for possible use by their department, notifying the previous owner of all charges, liquidating the property by a public sale or bidding process, listing with a realtor if value is greater than amount owed, setting the minimum bid at 35% of assessed value or amount owed whichever is greater, allowing the town to reject any or all bids, and the authority to award the bid to another party if it is in the best interest of the town. The policy will be discussed at the next meeting.

11. New Business

A. Maine Municipal Association Election

**Jeff Slack moved to submit a ballot for the proposed slate of officers. Vote 5-0-0. Pam Dunning moved to authorize the chairman to sign the ballot. Vote 5-0-0.**

B. Set special Selectmen's Meeting on July 23 to sign the election warrant and the Treasurer's warrant

**Judy Colby moved to set a special meeting on July 23 at 5 p.m. Vote 5-0-0.**

12. Town Manager's Report

August meetings will be held on the 13<sup>th</sup> and 27<sup>th</sup>.

Dresden has asked if Wiscasset would be willing to inspect its fire vehicles since the Wiscasset town mechanic has license to do so. The State will allow this if Wiscasset has a contract with Dresden to do inspection and maintenance. Smith said Wiscasset did not have the manpower to maintain vehicles for other towns. There was consensus that the request be denied because of the liability connected with maintenance of other towns' vehicles.

The Town of Farmington, a sister city Lac-Megantic, the site of the train wreck and oil explosion, has established a bank account for donations. Wiscasset was asked to spread the word about the fund. There was a consensus not to contribute because no contingency funds have been approved by the voters.

13. Other Business

**Judy Colby moved to go into executive session pursuant to 1 M.R.S.A. §405(6)(C) dealing with economic development. Vote 5-0-0.** The board entered executive session at 9:21 p.m. and exited at 9:43 p.m. **Pam Dunning moved to exit executive session. Vote 5-0-0**

14. Adjournment

At 9:45 p.m. **Pam Dunning moved to adjourn. Vote 5-0-0.**