

WISCASSET BOARD OF SELECTMEN  
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR  
SEPTEMBER 17, 2013

Tape recorded meeting

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. 6 p.m. Discussion regarding the possible expansion project and TIF with Molnlycke

**Pam Dunning moved to go into executive session pursuant to 1 M.R.S.A. §405(6)(C) to discuss a TIF agreement proposal for the Molnlycke project. Vote 5-0-0.**

The board entered executive session at 6:02 p.m. and exited at 6:23 p.m. **Judy Colby moved to come out of executive session. Vote 5-0-0.**

Jim Detert, Molnlycke, said his firm is very interested in Wiscasset for expansion of its facility but because of the complexity of negotiations, the process was taking longer than expected. He said Wiscasset is Molnlycke's first choice, with Brunswick as an alternate. He expects a decision will be made mid to late October.

4. Approval of Treasurer's Warrant: September 17, 2013

**Judy Colby moved to approve the Treasurer's Warrant. Vote 5-0-0.**

5. Approval of Minutes: September 3, 2013

**Jeff Slack moved to approve the minutes of September 3, 2013. Vote 5-0-0.**

6. Appointments - None

7. Special Presentations or Awards

A. Wiscasset Art Walk Committee: Mary Ellen Barnes, representing the committee, presented a slide show highlighting the activities and sites involved in the Art Walk. She said businesses had participated in the event held on the fourth Thursday of the month by remaining open later and hosting events. Activities had taken place on the pier including live music. The final Art Walk will take place on September 26 from 5 to 8 p.m. She thanked the town for its support and cooperation.

**Judy Colby moved to grant permission to the Wiscasset Art Walk Committee to use Town-owned properties, in coordination with the Town and the Chamber of Commerce, for the 2014 season. Vote 5-0-0.**

## 8. Public Comment

Norman Guidoboni said he was pleased that parking spaces had been painted, that the flag was lowered to half-staff on September 11 and that the Fire Department had displayed a large flag on its equipment in front of the Fire Station.

Town Manager Laurie Smith said a petition had been received asking that the \$2 million RSU 12 withdrawal costs be withdrawn from the reserve fund. The signatures have been validated by the Clerk and it will appear on the November ballot. She said a petition requesting a recount of the Planning Budget vote had been received. Signatures will be validated on September 18 and a recount scheduled.

## 9. Department Head or Committee Chair Report – None

## 10 Unfinished Business – None

## 11. New Business

(items were taken out of order because the discussion regarding ballot questions was scheduled to take place at 7 p.m.)

### d. Board review of Lincoln County Tax Commitment

**Judy Colby moved that the Board sign the Lincoln County Tax Commitment. Vote 5-0-0.**

e. Sign Quit Claim Deed: The property at 19 Fort Hill Street had been taken by the bank and is in the process of being sold. All taxes, interest and costs had been paid. **Pam Dunning moved that the Board sign the Quit Claim Deed for 19 Fort Hill Street. Vote 5-0-0.**

The board recessed at 6:50 p.m. and resumed at 7 p.m.

a. Discussion regarding the November Ballot questions: Ed Polewarczyk said the board and the Budget Committee would have to make recommendations on the ballot items and a public hearing would be held in October.

The wording of Article 2 regarding withdrawal of Wiscasset from the RSU 12 is set by law and cannot be changed. Pam Dunning recommended that it would be important for voters to know that 833 voters are needed in order to have a valid vote and a majority would be required to pass; it should be stressed to voters that this is the final vote. Terms of the withdrawal agreement had been discussed at the RSU public hearing. The board will hold a public hearing on this ballot and it was recommended that the Withdrawal Committee and a representative of the RSU who had worked with the Withdrawal Committee be invited to the meeting. Judy Colby recommended that the Withdrawal Committee hold another informational meeting. If the withdrawal measure passes, the town will have to elect a school board who would have to hire staff and prepare a budget. The town will have to accept the budget before the schools can operate.

Doug Smith said the petition asking that withdrawal costs be taken from reserves states \$1.5 million for the withdrawal agreement (for fixed assets, buses, etc.) and \$500,000 for summer salaries. He said four towns are considering leaving the RSU and if Wiscasset does not withdraw, it will face a tax increase.

There was a consensus to omit a recommendation on Article 2.

Article 3, if passed, authorizes the town to borrow \$2 million to cover the withdrawal costs. The interest on a \$2 million bond at 3.5% over ten years would be \$443,500. During that time \$2 million in the reserve account would continue to grow at 4.1% to \$3 million in ten years. Payment of the bond could come from the capital improvements budget or from an increase in taxes. Ed Polewarczyk recommended a note be added to the warrant indicating if Article 3 passed, the town was authorized to issue a bond not to exceed \$2 million to pay for RSU withdrawal.

Article 4 authorizes the town to pay for the withdrawal costs from the reserve account. If \$2 million is taken from the reserve fund, the town will lose \$1 million in growth plus the \$2 million and its potential growth in perpetuity. See the power point presentation given by H. M. Payson at the previous meeting on LCTV for a full explanation. A request to add an explanation to Article 4 was denied because Article 4 was a petition and wording must remain as submitted.

**Judy Colby moved to recommend passage of Article 3. Vote 4-1-0. Judy Colby moved to recommend passage of Article 4. Vote 0-5-0.** The Budget Committee will make its recommendation on September 19 and the warrant will be signed on September 20.

Article 5 is approval of capital improvement projects funded by a grant (\$226,000) and loan (\$974,000) from the U. S. Department of Agriculture. Improvements include force main replacement, interceptor improvements and pump station upgrades. Interest on the 29-year loan will be no higher than 2.75%. Buck Rines, Manager of the Wastewater Treatment Plant, said under the plan the force main would be increased from 4 inches to 6 inches and the pump stations which are over thirty years old would be replaced. In addition the project would include the rehabilitation of the Federal Street gravity sewer interceptor and upgrades to the treatment plant by replacing aging equipment. The annual payment would be \$49,000 per year and would be repaid by wastewater fees and from the capital reserve account or an increase in user fees.

In response to questions, Rines said that the PUC does not control wastewater, and because the improvements benefit the entire town, repayment of the loan could come from capital improvement funds and from the treatment plant operating budget rather than from user fees. If the loan was repaid solely from user fees, the average bill would increase from \$72 to \$76.50 per quarter. Rines said he had to apply for grants and loans when they were available.

**Judy Colby moved to vote in favor of Article 5. Vote 5-0-0.**

Article 6 deals with the Adult Entertainment Establishment Ordinance. Enactment of the ordinance would require some restrictions on the location of establishments and distance from schools, parks, etc. plus limitations on signage.

Article 7, approval of the Road Ordinance: Town Planner Misty Parker said changes had been made to the ordinance based on recommendations made by the town attorney; however, the content did not

change. She explained the minor changes and the addition of a section dealing with enforcement which was needed because this was a stand-alone ordinance.

**Pam Dunning moved to authorize the warrant for the November 5<sup>th</sup> ballot. Vote 5-0-0.** Ed Polewarczyk said the ballot would include the selectmen's recommendations and the explanatory note regarding the bond.

The board took a five-minute recess and returned at 8:15 p.m.

**b. Set a public hearing for the November 2013 ballot: Pam Dunning moved to hold a public hearing on October 15 at 7 p.m. for the November warrant articles. Vote 5-0-0.**

**c. Discussion of September 10 election results:**

**1. Selectmen assignment of assessing duties:** Town Manager Laurie Smith said the assessor's position, previously held by Sue Varney, was a union position. It will be a violation of the union contract for any staff member or anyone other than a selectman to assume the duties of assessor. She asked how the selectmen wanted to handle inquiries from residents who came into the office or telephoned. She recommended a two-member subcommittee be appointed to meet with Sue Varney and someone from the State Tax Assessor's office to understand the duties or issues that the selectmen would have to deal with. A message will be left on Varney's extension advising that the town no longer has an assessor by vote of the people and referring callers to an email address which may be responded to in the future. Ed Polewarczyk said the assessing budget included not only Varney's salary but also other costs including licensing fees for the TRIO software system for which no selectman has been trained. **Pam Dunning moved to appoint Judy Colby and Ed Polewarczyk to a subcommittee to understand assessor's requirements with the Assessor's Agent. Vote 5-0-0.** A meeting was tentatively scheduled on September 19 from 8 to 10 a.m.

**2. Town approval of contract requirement for severance pay:** According to the union contract, the Town will owe Sue Varney earned vacation time, sick payout and severance in the amount of \$67,339, which will be due in her final paycheck on September 27. Smith said funding for that amount would have to be approved at a town meeting or referendum vote. She recommended paying Varney \$8,282 for earned vacation time out of contingency as a good faith effort. **Judy Colby moved to pay the unpaid vacation amount of \$8,282 from contingency. Vote 5-0-0.** The entire amount of severance (\$67,339) will have to be approved by the voters. **Pam Dunning moved to hold an open town meeting on Tuesday, October 8, at 7 p.m. at the Middle School cafeteria. Vote 5-0-0.** Judy Colby asked that the meeting be videotaped. A request will be filed with the RSU for use of the space.

**3. Future of Assessing Budget:** The selectmen discussed the possibility of taking to the voters a budget for the assessing costs minus the salary, or negotiating with the union for a reduction in the assessor's agent's salary. There was no decision to bring a reduced salary back to the voters; the departmental costs will have to be approved by the voters and the selectmen will take over the duties of the assessors' agent. Smith said the selectmen and the Budget Committee will have to recommend budget figures before a town warrant for an open town meeting is signed.

**4. Selectmen recommendation on tax due dates:** Ed Polewarczyk said that a commitment cannot be made with an incomplete budget and therefore the September 25 tax due date will have to

be postponed. He said at least the severance payment must be on the budget and some assessing money in order to make the tax commitment so that tax bills can be sent out.

5. Town Manager update on Tax Anticipation Note and Cash Flow for town operations: The Tax Anticipation Note will expire in December leaving no funds to operate the Town if a budget is not passed. Smith said if the board meets on October 8, it could set a new tax due date (if there is some passage of funds) of October 25 with taxes due either November 22 or December 6. She said of the \$3 million TAN, \$2 million has been spent, and the remaining \$1 million will be due to the RSU and for the October 1 County taxes. No funds will be left for staff salaries or supplies. The Treasurer has been in contact with the bank regarding expanding the TAN, but that has not been approved. Smith said the longer the tax due date is postponed, the more difficult it will be to collect taxes during the holiday season.

Steve Mehrl said that working back from the time the money will run out, the town should be prepared to send out termination notices to employees. He said the State would take over the town if the TAN is not extended.

Laurie Smith said the warrant for an October 8 open town meeting will need to be signed by September 30 and will need the recommendations of the Budget Committee and the selectmen before that date. The warrant will include \$7500 for assessing costs plus training costs, especially for the TRIO software program. Smith said the board might want to include a legal budget figure for possible future costs. The board will meet on September 24 at 5 p.m. to open bids for the recreational pier and will recommend numbers for the open town meeting warrant. Ed Polewarczyk recommended considering three options for the assessor's agent salary on September 24: existing salary for 11 months, salary at one pay grade lower, and no salary increase. **Tim Merry moved to meet on September 24 at 5 p.m. to open bids for recreational pier and establish values that will go on the warrant. Vote 5-0-0.** Ed Polewarczyk confirmed with the Budget Committee that its recommendation will be received by the morning of September 27 so that the warrant can be signed by the selectmen later that day.

The board took a five minute recess.

#### F. Open Winter Sand Bids

The following bids were received:

	<u>1000 cu. yds.</u>	<u>Mileage</u>	<u>2000 cu. yds.delivered</u>
Veles Investments, LLC	\$5.50/cu. yd.	4 miles	\$10.50/cu. yd.
Hanley Construction	\$7.00/cu. yd	5.2 miles	\$12.50/cu. yd.
Harry Crooker	\$7.00/cu. yd.	10 miles	\$12.00/cu.yd.

**Pam Dunning moved to authorize the Town Manager and Road Commission to award the bid to the lowest qualified bidder. Vote 5-0-0.**

#### 12. Town Manager's Report

A. Discussion of Town leases – Airport lease: Smith asked the selectmen to appoint a subcommittee to review a potential airport lease for the maintenance building and second floor of the FBO office, investigate the concerns of the Airport Committee, and make a recommendation to the Board of

Selectmen. **Judy Colby moved to appoint a subcommittee to review leases and to appoint Jeff Slack and Pam Dunning to the committee. Vote 5-0-0.**

B. Workers Compensation Dividend Check: Smith reported the Workers Compensation pool had done well and the Town had received a check for \$13,000.

C. Town Report Award: The Town has received notice that its Town Report has placed third and received a MMA Excellence Award.

D. RSU Consolidation Plan: The board has received the Wiscasset Campus Consolidation Plan from Richard DeVries and has been asked for ideas or suggestions.

E. Poverty Abatement: This abatement request will be reviewed by the Board of Assessors in executive session at a future meeting. There is no staff report.

F. Staff Retirements: Morris Pickering will be retiring on September 30; Smith said the town is now down two drivers and she had concerns about plowing season. Becky Applin will retire on December 31.

### 13. Other Business

**Judy Colby moved to go into executive session pursuant to Title 1 §405(6)(E) to discuss Mason Station. Vote 5-0-0.** The board entered executive session at 9:32 p.m. and exited at 9:49 p.m. **Pam Dunning moved to come out of executive session. Vote 5-0-0**

### 14. Adjournment

**Pam Dunning moved to adjourn the meeting at 9:50 p.m. Vote 5-0-0.**