

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
OCTOBER 1, 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

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. Assessing Issues

Ed Polewarczyk said he believed there was a line between Board of Assessors duties and Assessor's Agent duties. Because the people of Wiscasset voted "no" to the assessing budget, he believed the Board had no authority to do the work for which it has no training. He said because there is a valid union contract which defines duties, if the board performed union work, grievances, mediation and eventually litigation could occur. He said he was not going to perform assessing work.

A. Discussion regarding poverty abatement requests

Pam Dunning moved that the board go into executive session pursuant to the provisions of Title 336, §841(2) MRSA, to consider a request for an abatement of taxes for reasons of poverty. Vote 5-0-0. Judy Colby moved to come out of executive session. Vote 5-0-0.

Relative to Poverty Abatement Case 1302, Judy Colby moved that by joint agreement to extend the deadline for action by the Board of Assessors to October 15. Vote 5-0-0.

Relative to Poverty Abatement Case 1303, Judy Colby moved to deny. Vote 5-0-0. Pam Dunning noted that the abatement request is for 2013 for which tax bills have not yet been issued. The request may be considered after commitment.

B. Assessing duties and public questions – postponed until later in the meeting

4. Approval of Treasurer's Warrant: October 1, 2013

Tim Merry moved to approve the Treasurer's Warrant of October 1, 2013. Vote 5-0-0.

5. Approval of Minutes: September 17 and September 24, 2013

Judy Colby moved to approve the minutes of September 17, 2013. Vote 5-0-0. Pam Dunning moved to approve the minutes of September 24, 2013. Vote 5-0-0.

6. Public Comment

Without objection, the five minute rule was suspended. Doug Smith, WERP, advocated leaving the RSU as the only way to educate the town's children and lower the taxes to an acceptable level. He provided statistics on the number of Wiscasset students and the number needed for a standard comprehensive high school curriculum and on the excess of space Wiscasset has. Leaving the RSU, Smith said, would give Wiscasset the opportunity to control the educational opportunities for its students and the taxes need to support that education.

Donald Jones said even though there is a sign on Route 1 prohibiting engine breaking, there is no town ordinance against it and therefore the police could take no action. He asked the selectmen to request the Ordinance Review Committee to draft an ordinance to prohibit engine breaking.

George Green stated his objection to having the sign list the meeting at 7 p.m. when it actually started earlier. It was explained that although the meeting started at 6, the meeting was listed at 7 to eliminate people having to sit through an hour's executive session; the actual meeting started at 7.

Bob Blagden said the retirement of Maurice Pickering offered the town an opportunity to downsize the department to the size it was five years ago. He said there was less work to do now and more employees to do it. Vacations could be covered by other departments; the town should take this chance to cut back on the department.

7. Department Head of Committee Chair Report – none

8. Unfinished Business – none

9. New Business

A. Certification of Ordinances for the November 5, 2013 election: **Judy Colby moved to certify the attached ordinances for the November 5, 2013 election. Vote 5-0-0.** Board member signed the certification for the Subdivision, Road and Adult Entertainment Ordinances.

B. Open the Tax Acquired Property Bids: Laurie Smith said that one bid had been received for the property at 25 Middle Street. **Pam Dunning moved to award the bid for Map U01, Lot 92, 25 Middle Street to George Freeman for \$67,250. Vote 5-0-0.**

The board discussed the options for disposing of the other two properties, both of which are on Route 1. It was decided to list the property with a realtor. It was suggested that if there is no action, the property be turned over to an auctioneer. **Judy Colby moved to request proposals from local realtors to sell the properties for us. Vote 5-0-0.**

C. Adoption of 2013 General Assistance ordinance: **Pam Dunning moved to postpone this item to October 15, 2013. Vote 5-0-0.**

3B. Continued

Jeff Slack reported that four messages had been left on the Assessor's Agent's office door. The only one that required action to date was a request for a Veteran's Property Tax Exemption form. No one was able to tell him where a form might be found other than in the Assessor's Agent's office.

Bill Barnes said in the past the selectmen had assumed the duties of assessor and if the selectmen did not want to do that, they should resign.

Pam Dunning requested a legal opinion as to whether the Board of Assessors could carry out the duties of a union position; specifically, since the town did not vote to fund the Assessors' Agent's position, does that delete that position from the union and therefore open up that work for the Board of Assessors to do, or is the Board of Assessors inherently by its election permitted to do that work without overstepping union bounds.

Ed Polewarczyk listed the items that need to be addressed: Responding to email and phone messages, contacting the State, working on the tax commitment, TIF calculations, entering sales data in the data base, completing the Municipal Valuation report for the State, completing the LD1 tax growth spreadsheet, updating personal property info and updating the deed info. **Pam Dunning moved to seek a legal opinion relative to the Board of Assessors doing the Assessors' Agent's work. Vote 3-2-0.**

10. Town Manager's Report

A. Coastal Planning grant: Laurie Smith said the town received the annual grant application for state funds for technical assistance on coastal projects. The Waterfront Committee is in favor of applying for funds which could be used for engineering the boardwalk project. The maximum grant is for \$20,000 with a 25% Town match, which could come from the engineering funds in the budget. **Jeff Slack moved to apply for the grant. Vote 5-0-0.**

B. Update TAN – County tax bill: Smith said the Town has asked for additional funds from the bank in order to keep the Town operating; however, the bank was unwilling to extend the amount of credit requested, but would loan the Town \$1 million if needed. Smith anticipates the Town will run out of funds by the end of November. Based on present cash flow, the Town may not be able to pay back the TAN. Two major bills the Town will face shortly are the RSU monthly payment and the County tax bill. She said the Town could ask for an extension on the taxes, but by law the County could seize Town property. **Pam Dunning moved to ask the County for an extension on the tax bill.** In response to questions, Smith said the County could charge interest and it was difficult to estimate when the bill could be paid. **Vote 4-1-0.**

11. Other Business

Judy Colby moved to enter executive session pursuant to 1 M.R.S.A. §405(6)(A) to discuss personnel. Vote 5-0-0. The board entered executive session at 7:55 p.m. and exited at 8:40 p.m. **Pam Dunning moved to exit executive session. Vote 5-0-0.**

Judy Colby moved to enter executive session pursuant to 1 M.R.S.A. §405 (6)(C) to discuss Mason Station. Vote 5-0-0. The board entered executive session at 8:42 p.m. and a motion to exit at 8:56 p.m. was voted 5-0-0.

12. Adjournment

A motion to adjourn the meeting at 8:57 p.m. was voted 5-0-0.