

## MEETING MINUTES

The Wiscasset Board of Selectmen, Tax Assessors & Overseers of the Poor met Tuesday, January 25, at 5 p.m. in the Municipal Meeting Room.

Present: Chairman Judy Colby, Benjamin Rines, Jr., Jefferson Slack, Katharine Martin-Savage, Robert Blagden, Town Manager Marian Anderson and the town's legal counsel, Peter Murray and John Shumadine

### 1. Call the meeting to order

At 5 p.m. Chairman Judy Colby called the meeting to order

### 2. Executive Session to meet with legal counsel.

A motion was made by Judy Colby, seconded by Katharine Martin-Savage to enter into Executive Session pursuant to 1 M.R.S.A §405 (6) (E) to meet with legal counsel, motion passed 5-0.

At 6:40 p.m. a motion was made by Katharine Martin-Savage, seconded by Benjamin Rines, Jr. to come out of Executive Session, motion passed 5-0-0.

**No action taken.**

### 2. Executive Session to discuss a personnel matter.

At 6:40 a motion was made by Benjamin Rines, Jr., seconded by Judy Colby to enter into Executive Session pursuant to 1 M.R.S.A §405 (6) (A) to discuss a personnel matter, motion passed 5-0.

At 7:15 p.m. a motion was made by Judy Colby, seconded by Katharine Martin-Savage to come out of executive session, motion passed 5-0

**No action taken**

### 3. Adjournment

At 7:16 p.m. a motion was made by Katharine Martin-Savage, seconded by Benjamin Rines, Jr. to adjourn, motion passed, 5-0-0.

WISCASSET SELECT BOARD,  
BOARD OF ASSESSORS, AND OVERSEERS OF THE POOR  
JANUARY 30, 2018

Preliminary Minutes

Present: Bob Blagden, Chair Judy Colby, Kathy Martin-Savage, Vice Chair Ben Rines, Jr., Jeff Slack and Town Manager Marian Anderson

Chair Judy Colby called the meeting to order at 7:05 p.m.

1. Pledge of Allegiance

2. Approval of Treasurer's Warrants

- a. Ben Rines, Jr., moved to approve the payroll warrants of January 12, 19, and 26, 2018. Vote 5-0-0.
- b. Kathy Martin-Savage moved to approve the accounts payable warrants of January 16, 23, and 30, 2018. Vote 5-0-0.

3. Approval of Minutes

Bob Blagden moved to approve the minutes of January 9 and 16, 2018. Vote 5-0-0.

4. Special Presentations or Awards - none

5. Committee Appointments

Jeff Slack moved to approve the following committee appointments:

- a. Pamela Brackett, Airport Committee reappointment
- b. Susan Blagden, Board of Appeals reappointment
- c. Denis Hebert, Board of Appeals, Alternate reappointment

Vote 4-0-1 (Blagden abstained)

6. Public Hearings – None

7. Public Comment

Jason Putnam reported that the clock tower did not need major work and he has obtained materials for the repair. He asked for and received the board's approval to proceed.

Putnam also reported that CMP had lost the bid for line improvements.

8. Department Head or Committee Chair

- a. Submitted Department Head Reports: Marian Anderson reminded those present of the Winterfest celebration, February 2 and 3, and the February 15 Chamber After Hours, both at the Community Center.

## 9. Unfinished Business

- a. Patricia Quinn, Executive Director of Northern New England Passenger Rail Authority (Amtrak/Downeaster) – Presentation regarding passenger rail service in Wiscasset: Quinn described plans to extend Downeaster service up the coast of Maine from Brunswick to Bath, Wiscasset, Newcastle and Rockland on weekends. In a slide presentation, she described the four facets of the Northern New England Passenger Rail Authority: Partnerships, Performance, Promotion and Passengers. She said currently there are five round trips from Boston to Portland, three of which are extended to Freeport and Brunswick. She said local communities would be responsible for platforms and/or stations and for promotion of the service. The public outreach for the service will be conducted in February and timelines will be confirmed in March. Mary Ellen Barnes said she has been part of the welcoming team in the past and they know how to market the service. Kathy Martin-Savage asked the specs for the ramps be sent to the town. There was a consensus of the board to move forward. A five-minute recess was taken at 7:47 p.m.
- b. Winter Parking Ban – Parking Fines and Issues: Chief Jeffrey Lange submitted recommendations for additions to the ordinance for Handicapped Parking violations and a comparison of fines among Boothbay, Damariscotta and Wiscasset. After discussion, Ben Rines, Jr., moved to increase the parking fees from \$20 to \$25, the Handicapped space violations from \$100 to \$250 and Fire Hydrant violations from \$100 to \$250 and change the ordinance accordingly. Vote 5-0-0.

## 10. New Business

- a. 2018 Ambulance Service Contract Rates – Westport Island and Edgecomb: The current rate for Dresden will be reviewed to determine equal rates for Westport Island and Edgecomb and the item will be on the next agenda.
- b. Wiscasset Area Chamber of Commerce 7<sup>th</sup> Annual Dinner 2/1/2018, 5:30 p.m.
- c. Monthly Financials
  - Department Year to date expense report: Anderson reported that expenses were in line with the budget.
  - H. M. Payson Investment Review: Value as of 12/31/17 was over \$14 million.
- d. Resignation of Paul Rubashkin, Police Administrative Assistant: Judy Colby moved to accept the resignation with regret. Vote 5-0-0.

## 11. Town Manager's Report

Anderson presented a resolution to the board for its approval supporting Senate Bill 1903 regarding payments to towns where decommissioned civilian nuclear power plants are located and requesting that the Senators Collins and King and Representatives Pingree and Poliquin co-sponsor the bill. If the

bill passes Wiscasset would receive annual payments from 2018 to 2024 of \$8,134,500. Judy Colby moved to formally request the support and that the resolution take place immediately upon its adoption. Vote 5-0-0. The resolution was signed. Anderson said if the funds were received, they would be used for infrastructure and capital improvement of the town.

The Community Center will be celebrating 20 years on February 14, 2018.

Anderson reported that Attorneys Murray and Shumadine continue to communicate with the MDOT leadership and there was nothing new to report.

The Town's response to the Wawenock LLC's appeal from the Business and Consumer Court to the State of Maine Supreme Judicial Court is due March 14, 2018.

Correspondence from Stephanie Meeks, National Trust for Historic Preservation, Mark Robison and Ralph Doering was given to the board.

Anderson said State and local authorities continue to monitor the sunken minesweeper.

Lucia Droby requested permission to invite food trucks participate in the summer. There was no objection from the board.

The Help Yourself Shelf Food Pantry requested that some of the funds donated to the food pantry be used to help support the school's food pantry. The board approved the request.

## 12. Other Board Business

Police Chief Jeff Lange alerted the public to a scam by phone soliciting funds for the police department. He said the Police Department does not solicit funds.

## 13. Assessor's Business

### a. Abatements:

- Matthew Huber, Map U09, Lot 001-001 in the amount of \$116.90
- Timothy Cromwell, Map R03, Lot 009 in the amount of \$871.52
- Matthew Huber, Map U09, Lot 001-001 in the amount of \$287.88
- Matthew Huber, Map U07, Lot 003-ON in the amount of \$280.65 for 2018 and \$281.40 for 2017 (Homestead exemption granted on new parcel

Jeff Slack moved to approve all three. Vote 5-0-0.

## 14. Adjournment

Kathy Martin-Savage moved to adjourn the meeting at 7:30 p.m. Vote 5-0-0.



# Town of Wiscasset

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## **TOWN OF WISCASSET PUBLIC HEARING**

**The Board of Selectmen will hold a public hearing on Tuesday, February 6, 2018, at 6:00pm p.m. at the Municipal Building Hearing Room. The purpose of the hearing is as follows:**

- **To act on a request for a new Liquor License for Carla Chapman, DBA The Cubby Hole, located at 213 West Alna Road, Wiscasset.**

**Department of Public Safety  
Division**

**Liquor Licensing & Inspection**

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.  
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.



**BUREAU USE ONLY**

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

**PRESENT LICENSE EXPIRES** \_\_\_\_\_

**INDICATE TYPE OF PRIVILEGE:** ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

**INDICATE TYPE OF LICENSE:**

☒ RESTAURANT (Class I,II,III,IV)

☒ HOTEL-OPTIONAL FOOD (Class I-A)

☒ CLASS A LOUNGE (Class X)

☒ CLUB (Class V)

☒ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: \_\_\_\_\_

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> —(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Carla Chapman</u> DOB: <u>03/19/1963</u>			<b>2. (Business Name (D/B/A))</b> <u>Cubby Hole</u>		
DOB: _____			DOB: _____		
Address <u>213 West Alna Rd</u>			Location (Street Address) <u>213 West Alna Road</u>		
City/Town <u>Wiscasset</u> State <u>ME</u> Zip Code <u>04578</u>			City/Town <u>Wiscasset</u> State <u>ME</u> Zip Code <u>04578</u>		
Mailing Address <u>213 West Alna Road</u>			Mailing Address <u>213 West Alna Road</u>		
City/Town <u>Wiscasset</u> State <u>ME</u> Zip Code <u>04578</u>			City/Town <u>Wiscasset</u> State <u>ME</u> Zip Code <u>04578</u>		
Telephone Number <u>207-687-2079</u> Fax Number <u>Same</u>			Business Telephone Number <u>207-687-2079</u> Fax Number <u>Same</u>		
Federal I.D. # <u>006-56-9063</u>			Seller Certificate # _____		

3. If premises are a hotel, indicate number of rooms available for transient guests: \_\_\_\_\_

4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_

5. Is applicant a corporation, limited liability company or limited partnership? YES ☐ NO ☒

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

7. If manager is to be employed, give name: \_\_\_\_\_

8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_

Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_

9. Business records are located at: 213 West Alna Rd Wiscasset

10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:  
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Carla Chapman	3/19/63	Texas
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Wiscasset Maine		

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

15. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

16. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: \_\_\_\_\_

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) \_\_\_\_\_

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES ☒ NO ☐ Applied for: \_\_\_\_\_

19. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2.2 miles Which of the above is nearest? church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: The first Bank

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

**NOTE:** "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_  
Town/City, State Date

**Please sign in blue ink**

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name



### NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

**THIS APPROVAL EXPIRES IN 60 DAYS.**

### FEE SCHEDULE

<b>Class I</b>	Spirituos, Vinous and Malt .....	\$ 900.00
	<b>CLASS I:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
<b>Class I-A</b>	Spirituos, Vinous and Malt, Optional Food (Hotels Only) .....	\$1,100.00
	<b>CLASS I-A:</b> Hotels only that do not serve three meals a day.	
<b>Class II</b>	Spirituos Only .....	\$ 550.00
	<b>CLASS II:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
<b>Class III</b>	Vinous Only .....	\$ 220.00
	<b>CLASS III:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
<b>Class IV</b>	Malt Liquor Only .....	\$ 220.00
	<b>CLASS IV:</b> Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
<b>Class V</b>	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) .....	\$ 495.00
	<b>CLASS V:</b> Clubs without catering privileges.	
<b>Class X</b>	Spirituos, Vinous and Malt – Class A Lounge .....	\$2,200.00
	<b>CLASS X:</b> Class A Lounge	
<b>Class XI</b>	Spirituos, Vinous and Malt – Restaurant Lounge .....	\$1,500.00
	<b>CLASS XI:</b> Restaurant/Lounge; and OTB.	

**FILING FEE**..... \$ 10.00

**UNORGANIZED TERRITORIES** \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.



STATE OF MAINE

Dated at: \_\_\_\_\_, Maine \_\_\_\_\_ SS

City/Town

(County)

On: \_\_\_\_\_  
Date

The undersigned being:      ☐ Municipal Officers      ☐ County Commissioners      of the  
☐ City    ☐ Town    ☐ Plantation    ☐ Unincorporated Place    of: \_\_\_\_\_, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]

2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control: [1987, c.45, Pt.A§4(new).]

C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]

E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c.730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c.730, §27 (rp).]

4. **No license to person who moved to obtain a license. (REPEALED)**

5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

STATE OF MAINE  
Liquor Licensing & Inspection Unit  
164 State House Station  
Augusta, Maine 04333-0164  
Tel: (207) 624-7220 Fax: (207) 287-3424

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**SUPPLEMENTARY QUESTIONNAIRE FOR CLUB APPLICANTS**

1. Exact Club Name: \_\_\_\_\_

2. Title, name, birth date and telephone number of each principal officer of the club:

Title	Name	Birth Date	Telephone #
	Carla Chapman	3/19/1963	207-687-2079

3. Date Club was incorporated: \_\_\_\_\_

4. Purpose of Club: ( ) Social ( ) Recreational ( ) Patriotic ( ) Fraternal

5. Date regular meetings are held: \_\_\_\_\_

6. Date of election of Club Officers: \_\_\_\_\_

7. Date elected officers are installed: \_\_\_\_\_

8. Total Membership: \_\_\_\_\_ Annual Dues: \_\_\_\_\_ Payable When: \_\_\_\_\_

9. Does the Club cater to the public or to groups of non-members on the premises? ( ) YES ( ) NO

10. Excluding salaries, will any person other than the Club, receive any of the financial profits from the sale of liquor?

( ) YES ( ) NO

11. If a manager or steward is employed, complete the following:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\_\_\_\_\_  
Signature and Title of Club Officer

\_\_\_\_\_  
Print Name and Title of Club Officer

STATE OF MAINE  
Liquor Licensing & Inspection Unit  
164 State House Station  
Augusta, Maine 04333-0164  
Tel: (207) 624-7220 Fax: (207) 287-3424

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**SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND  
LIMITED PARTNERSHIPS**

1. Exact Corporate Name: \_\_\_\_\_  
Business D/B/A Name: \_\_\_\_\_
2. Date of Incorporation: \_\_\_\_\_
3. State in which you are incorporated: \_\_\_\_\_
4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

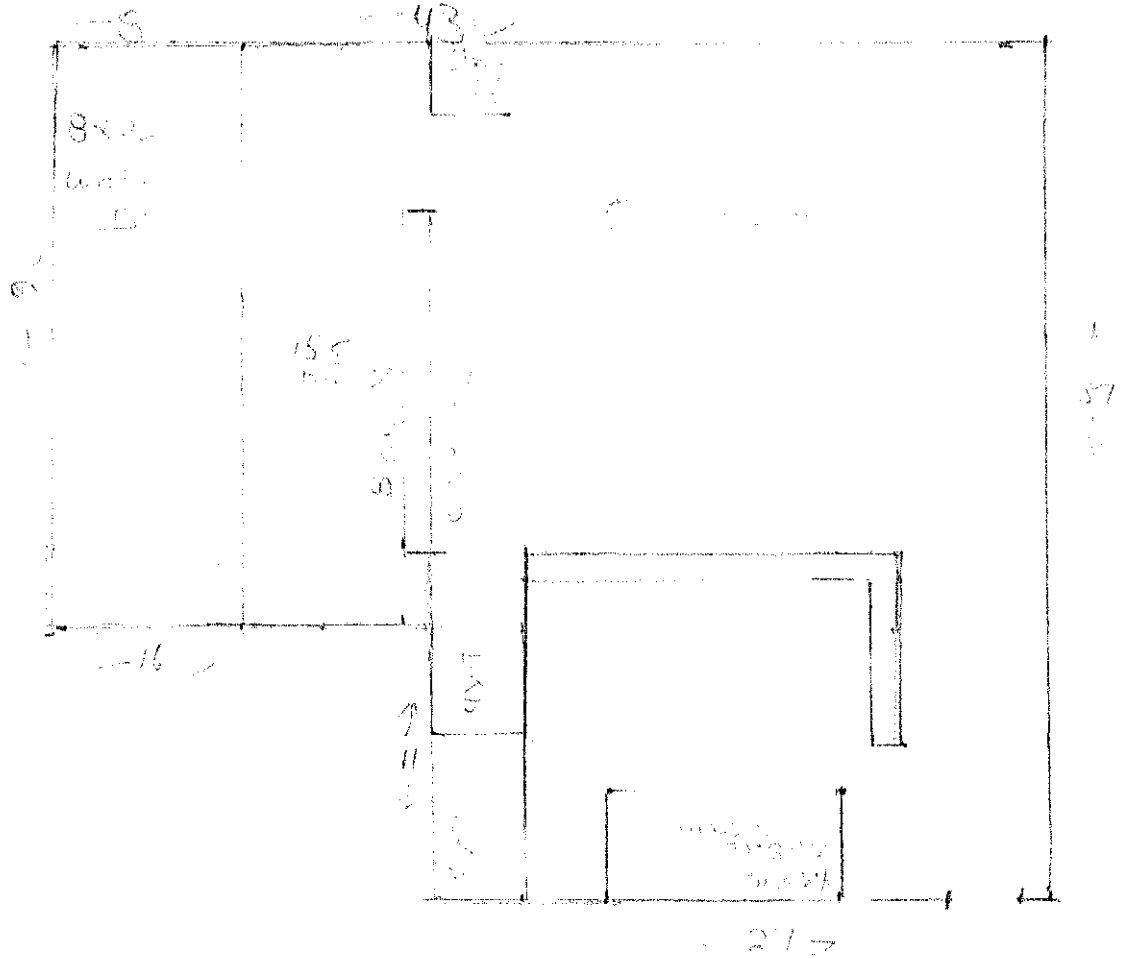
Name	Address Previous 5 Years	Birth Date	% of Stock	Title

6. What is the amount of authorized stock? \_\_\_\_\_ Outstanding Stock? \_\_\_\_\_
7. Is any principal officer of the corporation a law enforcement official? ( ) YES ( ) NO
8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? ( ) YES ( ) NO.
9. If yes, please complete the following: Name: \_\_\_\_\_  
Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_  
Location: \_\_\_\_\_ Disposition: \_\_\_\_\_  
Dated at: \_\_\_\_\_ City/Town \_\_\_\_\_ On: \_\_\_\_\_ Date \_\_\_\_\_
- 

\_\_\_\_\_  
Signature of Duly Authorized Officer Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name of Duly Authorized Officer

# PREMISE DIAGRAM



2 Tables to seat 8

3 Tables to seat 12

10 seats at bar

38 seats

copy  
9a Rec 7/25/17

ABULANCE SERVICE AGREEMENT  
BETWEEN THE TOWN OF WISCASSET  
AND THE TOWN OF DRESDEN

This agreement for ambulance services (the "Agreement") is entered into by and between the Town of Wiscasset, Maine ("Wiscasset") and the Town of Dresden, Maine ("Dresden") (collectively the "Parties").

WHEREAS, Title 30-A M.R.S.A. § 5725(9) authorizes Maine municipalities to raise or appropriate money to provide for public ambulance service, or to support an ambulance service for their residents; and

WHEREAS, Title 30-A M.R.S.A § 3156 authorizes Maine municipalities to aid one another in the event of public safety emergencies by providing municipal fire department resources; and

WHEREAS, Title 30-A M.R.S.A. § 3001 authorizes Maine municipalities to enter into contracts and service agreements; and

WHEREAS, Wiscasset has instituted a public ambulance service and is willing to permit said service to be used by other communities in accordance with the statutory authority cited above:

NOW THEREFORE, the parties hereto mutually covenant and agree as follows:

1. **Term.** This Agreement shall be for a three (3) year period from July 1, 2017 to June 30, 2020.
2. **Fees.** Dresden shall pay to Wiscasset fees in the amount of \$6,000 for the year July 1, 2017 to June 30, 2018; \$6,500 for the year July 1, 2018 to June 30, 2019; and \$7,000 for the year July 1, 2019 to June 30, 2020.
3. **Method of Payment.** Payment for the period of July 1, 2017 to June 30, 2018 will be made to Wiscasset by Dresden within 30 days of receipt of any invoice from Wiscasset. Payments for fees from July 1, 2018 to June 30, 2019 and for July 1, 2019 to June 30, 2020 shall be billed and due in the same manner.
4. **Scope of Services.** During the term of this Agreement, Wiscasset shall provide Dresden with ambulance services. Such services shall include emergency 9-1-1 calls from Dresden. Wiscasset shall treat calls for ambulance service originating from Dresden with equal priority as calls from Wiscasset.
5. **Uncollectables.** In the event Dresden terminates this Agreement before the expiration of its term, Dresden shall be responsible for payment of the uncollectables. Furthermore, Dresden shall still be responsible for any bills that are or will become uncollectable between the period of July 1, 2017 and the last date that Dresden was a party to this Agreement. Payment

of such uncollectable amounts shall be due within 30 days of receipt of an invoice from Wiscasset.

6. **Disclaimer for Third-Party Service.** In the event Wiscasset is unable to render emergency ambulance assistance to Dresden, and Dresden must rely upon a third-party ambulance service, Wiscasset disclaims responsibility for any amounts due to such third-party ambulance service.
7. **Responsibility for Claims.** Wiscasset and Dresden understand and agree that each Party is to be fully and solely responsible for any claims, causes of action, demands, or suits of any kind or nature which may be brought against that Party as a result of services provided pursuant to this Agreement and any acts or omissions within the scope of this Agreement. Accordingly, neither Party hereto undertakes to indemnify the other Party for claims that arise by virtue of any action or inaction pursuant to the Agreement.
8. **Immunity.** Wiscasset and its agent and employees retain all of the immunities available at law while executing their responsibilities pursuant to this Agreement.
9. **Exclusivity.** Dresden agrees to not allow any other public or private ambulance service to utilize public property for the duration of this Agreement.
10. **Termination of Agreement.** Either party may terminate this Agreement for any reason by giving ninety (90) days advance notice in writing to the Town Manager.
11. **Entire Agreement.** This Agreement represents the entire agreement between Wiscasset and Dresden and supersedes any prior agreements, understandings, or representations pertaining to the subject matter of this Agreement and may be amended from time to time only by written agreement of the Parties hereto. Each Party represents that it has the authority to enter into this Agreement and that it is being executed by its duly authorized representatives. This Agreement shall be governed solely by the laws of the State of Maine.
12. **Severability.** If any provision or portion of this Agreement is held to be invalid or unenforceable, the remainder of this Agreement is not affected and remains in full force and effect.

SEEN AND AGREED TO:

TOWN OF WISCASSET

By: Maria J. Anderson  
Its Town Manager

DATED: 7/1/2017

TOWN OF DRESDEN

By: Al H. H. H.  
Its First Selectman

DATED: 7/24/17

By: George Keene  
Its 2<sup>nd</sup> Selectman

DATED: 7/24/17

By: Alan Moeller SR  
Its 3<sup>rd</sup> Selectman

DATED: 7-24-17

## **Sewer Bill Abatement Policy (proposed)**

### **Abatements**

The costs associated with the operation of the Wiscasset sewer services are paid for by sewer use fees determined by the Board of Selectmen. Sewer charges are determined by the amount of the service consumed, i.e., cubic feet of water used by the property.

The District obtains water usage data for its customers from the Wiscasset Water District.

From time to time, there may be circumstances where customers can quantify water use that was clearly not discharged to the sewer, such as a new pool fill up. Additionally, customers may run into circumstances where there has been an error in the calculation of their bill. These calculation errors can occur due to bad data reported to the Town or prior payments being recorded incorrectly. Billing adjustments and abatements are made in accordance with this Abatement policy adopted by the Board of Selectmen on ?

For billing purposes the Town assumes that sewerage use equals water use. When a customer can demonstrate that a quantity of water billed to the user did not go into the sewerage system, the Town may make a reasonable adjustment in the user's bill.

In general, for an abatement to be considered the customer must file an Abatement Request within 30 days of the usage bill date, the account must otherwise be in good standing with no late payments due, and the abatement must fit into one of the four general categories in the policy.

This policy establishes a formal process by which a customer can obtain a determination regarding a customer's abatement/adjustment request. If the user is not satisfied by a decision by the Wiscasset Wastewater Treatment Plant Supervisor, the customer can appeal to the Board of Selectmen.

### **Requests**

Requests for billing changes (adjustments or abatements) must be submitted within thirty (30) days of the usage bill date. Applications received after 30 days will be evaluated at the discretion of the Town. In general, no retroactive adjustments will be



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made for billing periods ending more than twelve (12) months before the request was submitted.

Those customers requesting an abatement of charges must complete a Sewer Usage Abatement Request Form signed by the property owner and submit it to the Wastewater Treatment Plant Supervisor. Customers seeking an abatement of charges due to a leak or pool filling must submit repair invoices and proof of payment with their application.

No application for abatement or adjustment will be accepted on any account unless all amounts due on that account, including interest and penalties, for all billing periods prior to the contested period covered by the abatement or adjustment application have been paid in full.

The filing of a Sewer Use Abatement Request Form does not relieve the applicant of the responsibility to pay their current sewer usage bill in full by the due date specified.

Customers are eligible to apply for abatement adjustments for specific one-time incidents such as pool fill-ups or water leaks once every three years. It is incumbent upon the customer to correct the issues causing the need for the abatement in as timely a manner as possible. This provision may be waived by the Wiscasset Board of Selectmen extraordinary cases.

## **Abatement Types**

The Town categorizes abatements into four different uses: Seasonal Outdoor, Pool Abatements, Leak/Meter Abatements and Miscellaneous One-Time Abatements. Applications for abatements or requests for adjustments for reasons other than those stated in this policy must be made in writing to the Town which will determine the validity of the request and the amount of any abatement or adjustment. A customer's inability to pay a water or sewer bill shall not be grounds for abatement under this policy.

1. **Seasonal Outdoor Water Use Abatements:** For metered seasonal outdoor water use will only be considered when a second water meter is installed and pre-approved by the Town. Please review the Second Meter and Seasonal Outdoor Water Use Abatements section for more details.

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2. **Pool Abatements:** For abatements of water volumes used for one time pool fill-ups. This adjustment does not apply to seasonal refilling or topping off. A calculation will be performed (based on the size of the pool) to determine the amount of water used to fill the pool. The sewer charge for that volume of water will be abated. Customers requesting a pool abatement must provide details on the capacity and size of the pool and must state the billing period in which the filling of the pool occurred.
3. **Leak and Meter Abatements:** For abatements of water volumes caused by leaks that were not discharged to the sewer. This includes leaks on outdoor water pipes or on pipes prior to plumbing fixtures. ***This does not include leaking toilet valves or faucets.*** If the actual volume of the leak cannot be confirmed, the total usage for the period in which the leak occurred will be compared to the averaged usage for the same period from the preceding three years. The abated amount will be equal to the amount of water usage recorded less the calculated average.
4. **Miscellaneous One-Time Abatements:** For one time abatements and billing adjustments not anticipated by the Town. These will be considered on a case-by-case basis and any adjustment granted will be based on the circumstances described by the customer and by review of historical usage data.

## **Submission of Requests for Adjustments and Abatements**

Customers seeking abatements or requesting adjustments must file a Sewer Use Abatement Form with the Town as soon as possible after identification of a need for abatement. Forms may be downloaded and submitted in paper form. The Form shall be filled out to the best of the Customer's ability and include all requested documentation.

The completed form, and any applicable documents and fees, must be submitted as a complete package for consideration. Incomplete applications will not be considered.

If the customer has not submitted a Sewer Use Abatement Form or needs assistance in filing the form a representative of the Town may assist and fill out the form for the customer. By so doing, the Town undertakes no responsibility for the correctness or the completeness of the application or request except with regard to information furnished from the records of the Wiscasset Wastewater Treatment Department.

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**Submission of a Sewer Use Abatement Form does not guarantee that an abatement will be granted nor does it relieve the customer from paying any outstanding bills on time.**

The Town will review all outstanding abatement requests as part of the regular public meeting agenda and customers are encouraged to attend and further explain the basis for their request. If the Town determines that a billing adjustment or abatement as provided in this policy is necessary, the Town will approve the abatement at a meeting of the Town and provide notice to the customer noting that the approved amount has been credited to their account. If the Town determines that an adjustment or abatement is not due on the account the customer will be notified in writing as to the reasons for denial.

The Town will endeavor to respond promptly to abatement applications and requests for adjustment within 30 days after the date that a completed application is submitted. In some circumstances additional information may be needed which may delay response times.

In a small number of cases abatements have been submitted that are speculative, fraudulent, or clearly do not meet the criteria for an abatement. These abatement requests take up valuable staff time to process and review. If a submission is determined to fall into this category or if extensive hand calculations and account research is necessary to quantify a request the Town may charge an administrative calculation fee.

## **2nd Meter Program**

The 2nd meter program enables customers to utilize a second meter, which makes calculation of outdoor water use clear and accurate.

The second meter is installed to measure outdoor water sources. The Town relies on self-reporting for second meter readings submitted for abatement. This meter will not be read automatically as part of the Wiscasset Water District's meter reading program. Once per year, from **October 1st to November 30th**, 2nd Meter readings may be submitted via telephone, e-mail or in paper form to the Town office.

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The outdoor water use will be abated on your next scheduled bill in accordance with the Town's Sewer Usage Abatement Policy. Your seasonal water use abatement will be based on actual metered outdoor water use.

Please note, only customers with second meter installations will be considered for a seasonal outdoor water use abatement. Calculations or estimations for outdoor water use abatements will not be considered.

The process for installing and using the second meter is as follows:

1. Customer submits a Second Meter Permit
2. Customer/Customer's plumber purchases a direct meter for installation on a line feeding outdoor water fixtures. These can be purchased by your plumber at most plumbing supply houses. Meter kits can also be purchased directly from the Town at cost. The kit includes the meter and two pipe fittings. Please contact us if you wish to purchase a meter from our office.
3. Customer/Customer's plumber installs the second meter in accordance with applicable rules and regulations and calls for inspection by Town.
4. Town inspects the meter.
5. Customer records meter reading, photographs meter face, and submit a Seasonal Abatement Request Form using the paper form to receive an abatement for full amount of meter reading.

## **Eligibility**

This program is offered to all Town sewer customers.

This program is primarily intended for customers with lawn irrigation systems and large gardens. Other customers who expect to have to have high outdoor water use are also free to take advantage of this program however the customer should evaluate individual circumstances based on actual use to calculate cost effectiveness.

## **Permitting**

Prior to being able to use an installed second meter the Customer must complete a Second Meter Permit application. The completed permit constitutes an agreement between the Customer and the District confirming that the use of the meter will be in

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compliance with applicable sewer use regulations. This permit is specific to the Customer. New property owners with second meters must apply for a new permit and inspection before being eligible for abatement benefits from the second meter.

## **Allowed Meters**

The Town requires that Customers install a meter that is made for measuring clean water that is consistent with the residential water meters in use by the water industry and meets current AWWA standards. These meters are readily available at most plumbing supply houses. The meter should be sized to match existing residential meters and will typically be 5/8" meters for most customers. The meter needs to record use in Cubic Feet.

## **Installation**

The second water meter is installed after the primary meter so that all water passes through the primary meter first.

The second meter must be installed in an area that will be easily accessible should the meter need repairs or replacement. If possible, the meter should be installed in a horizontal orientation. A shut-off valve must be installed on the supply side of the meter and must be the same size as the meter itself (5/8" meter, use 5/8" valves for example). It is also recommended that a shut-off valve is installed on the inlet side of the meter.

There are absolutely no inside connections (draw-offs, spigots, etc.) allowed after the second water meter inside the dwelling.

When connected to a lawn irrigation system, the system must have the appropriate backflow prevention device installed on the water supply to the system as approved by the Town.

Second water meters are to be installed so as to meter outside usage only. Any customer that is found using the second water meter for inside use, will permanently lose the second water meter privileges and will be fined.

It is the responsibility of the applicant to install the meter in compliance with any other applicable codes and regulations.

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Only one (1) second water meter will be allowed per property.

### **Inspection**

Once the meter has been installed the customer should call the Wiscasset Wastewater Treatment Plant at 207-882-8222 or contact by email at [wwwtp@wiscasset.org](mailto:wwwtp@wiscasset.org) to schedule an inspection. The Town will make every effort to inspect in a timely manner but due to high seasonal demand during the spring and summer months, your inspection process may take several weeks to be completed.

The inspector must be able to access the second meter easily and the Customer may be asked to demonstrate that no indoor water supplies are connected to the meter by running several indoor plumbing fixtures.

After the connection is determined to be in compliance the initial meter reading will be verified and recorded and a Town seal will be attached to the meter.

Customers are responsible for any additional permitting or inspections by others that may be required.

### **Maintenance**

Second water meters are the **CUSTOMER'S RESPONSIBILITY**. If the meter breaks or fails to record use, the **CUSTOMER** is responsible to purchase and install a new meter if they wish to utilize the abatement program. The Town reserves the right to re-inspect the meter installation if reported readings appear to be inconsistent.

Second meters must be replaced and inspected every 15 years which is the typical meter lifespan.

### **Cost**

The cost of the meter and installation is entirely the responsibility of the Customer. Plumbing charges will vary depending upon the complexity of the changes required to install the second meter.

There are no annual fees anticipated at this time although the Town reserves the right to institute an annual fee as this program grows and if needs dictate.

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**Meter Reading and Abatement Process**

The Town relies on self-reporting for second meter readings submitted for abatement. This meter will not be read automatically as part of the Wiscasset Water District's meter reading program. Once per year, from **October 1st to November 30th**, 2nd Meter readings may be submitted to the Wastewater Treat Plant Supervisor via the telephone (207-882-8222), e-mail ([wwwtp@wiscasset.org](mailto:wwwtp@wiscasset.org)); or by mail (51 Bath Road, Wiscasset to the

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# Town of Wiscasset

## General Sewer Abatement Request

10a

### Instructions

**PLEASE READ CAREFULLY.** Fill in all blanks, attach additional paperwork as necessary. This form is for the application of general abatements only. General abatements are only considered for Pool Fill-ups, Meter errors and Leaks, or Miscellaneous billing issues. For Second Meter/Outdoor Water Use abatements please use the Seasonal Outdoor Water Use Abatement Request Form. Any petition for abatement must be filed in writing to the Town of Wiscasset within 30 days of the date reflected in the "billing date" section from the front of the usage bill. The filing of this form does not guarantee that your abatement will be granted. The filing of this form does not relieve the applicant of the responsibility to pay the sewer usage bill in full by the due date specified. Abatements will be considered by the Town of Wiscasset on a case-by-case basis. Approved abatements will be reflected as an account credit in the next billing period. Return to: Wiscasset Wastewater Treatment Plant – 51 Bath Road-Wiscasset, Maine 04578

### Subpart A - Account & Property Information

Service Street Address	# of Bedrooms	Account #
<hr/>		
Last Name or Business Name	First Name	
<hr/>		
Contact Phone	Contact email	
<hr/>		
Date of contested Bill	\$	Amount owed on contested bill

Your account must be in good standing for an abatement request to be considered. Please check the appropriate box to confirm that all past-due amounts have been paid or enclose payment for past due amounts.

- ☐ All past due amounts owed have been paid and this account is in good standing.
- ☐ A payment is enclosed to bring the account into good standing. Amount enclosed: \$ \_\_\_\_\_

### Subpart B - Reason For Abatement Request

Please check one. For second meter/outdoor water use abatements please use the Seasonal Outdoor Water Use abatement form

			Dates
<input type="checkbox"/> <b>1. Pool Abatement</b> <i>For abatements of one-time pool fill-ups. This adjustment is for permanently installed in-ground or above ground pools only. This does not apply to temporary pools or seasonal refilling or topping off. Please attach a photo of the pool and provide pool dimensions in Subpart C. Attach copies of receipts for new pool, pool liner replacement, or leak service.</i>	<b>Enter date of pool fill up in box B1</b> <hr style="width: 50%; margin: 0 auto;"/>	B1	
<input type="checkbox"/> <b>2. Leak and Meter Abatement</b> <i>For abatements of water volumes caused by leaks that were not discharged to the sewer. This includes leaks on outdoor water pipes or on pipes prior to plumbing fixtures. This does not include leaking toilet valves or faucets. Attach documentation from water department and describe the reason for the abatement including any calculations in Subpart E</i>	<b>Enter date of leak or meter error in box B2</b> <hr style="width: 50%; margin: 0 auto;"/>	B2	
<input type="checkbox"/> <b>3. Miscellaneous One-Time Abatement</b> <i>For all other one-time abatements and billing adjustments. These will be considered on a case-by-case basis and any adjustment granted will be based on the circumstances described by the customer and by review of historical usage data. Describe the reason for the abatement including any calculations in Subpart D</i>	<b>Enter date of abatement event in box B3</b> <hr style="width: 50%; margin: 0 auto;"/>	B3	





# Town of Wiscasset

## Outdoor Water Use Abatement Request Form

10a

### Instructions

PLEASE READ CAREFULLY. Fill in all blanks, attach additional paperwork as necessary.

This form is for the application of seasonal outdoor water use abatements only. This application can be used for those customers with second meters. All other outdoor water uses cannot be quantified and will not be considered. Please see our website for more details about this program. For all other abatement requests please use the General Abatement Request Form. The filing of this form does not guarantee that your abatement will be granted. The filing of this form does not relieve the applicant of the responsibility to pay the sewer usage bill in full by the due date specified. Abatements will be considered by the Town of Wiscasset on a case-by-case basis. Approved abatements will be reflected as an account credit in the next billing period.

Return to: Town of Wiscasset -51 Bath Road - Wiscasset, ME, 04578

### Subpart A - Account & Property Information

Most requested information can be found on the front of your bill

Service Street Address

Number of Bedrooms  
at property served

Service No.

Last Name or Business Name

First Name

Contact Phone

Contact email

Your account must be in good standing for an abatement request to be considered. Please check the appropriate box to confirm that all past-due amounts have been paid or enclose payment for past due amounts.

☐ All past due amounts owed have been paid and this account is in good standing.

☐ A payment is enclosed to bring the account into good standing.

Amount enclosed: \$ \_\_\_\_\_

### Subpart B - Second Meter / Seasonal Outdoor Water Use Abatement Calculation

Meter \_\_\_\_\_

Date of Reading \_\_\_\_\_

B1 Current Meter Reading \_\_\_\_\_

Please take a photo of your water meter read out showing the current reading. Enter the reading amount in Box B1 and attach the photo to this application.

The undersigned certifies under the pains and penalties of perjury that the information as contained herein is true and correct.

Sign Here



Printed name: \_\_\_\_\_

Date \_\_\_\_\_

Do not write below this line

Application approved by: \_\_\_\_\_

On date: \_\_\_\_\_

# Town of Wiscasset

## Second Water Meter Permit Form

10a

### Instructions

PLEASE READ CAREFULLY. Fill in all blanks, attach additional paperwork as necessary. This form is used for the installation of a second water meter to be used for measuring flow as the basis for the seasonal outdoor water use abatements. Upon agreement to the terms and conditions of this permit the customer may install a second meter as per the rules and regulations of the Town of Wiscasset. Please complete the form and enclose payment and submit to the Town of Wiscasset.

Return to: Town of Wiscasset – 51 Bath Road – Wiscasset, ME, 04578

### Subpart A - Account & Property Information

Most requested information can be found on the front of your bill

Service Street Address

Number of Bedrooms  
at property served

Service No.

Last Name or Business Name

First Name

Contact Phone

Contact email

Your account must be in good standing for this request to be considered. Please check the appropriate box to confirm that all past-due amounts have been paid or enclose payment for past due amounts.

☐ All past due amounts owed have been paid and this account is in good standing.

☐ A payment is enclosed to bring the account into good standing.

Amount enclosed: \$

### Subpart B - Second Meter Terms and Conditions

The undersigned agrees that:

1. Customer will install the second meter in accordance with the Town of Wiscasset's Second Meter Policy and in accordance with all applicable rules and regulations.
2. Customer agrees not make any connections, other than approved by the Town of Wiscasset to the second water meter and will not discharge into the sewer any of the water being metered by the second water meter.
3. Customer shall allow entry by the Town of Wiscasset and/or its authorized agents and/or representatives at any reasonable hour to inspect the second water meter and piping system. Owner agrees that any refusal to entry shall constitute evidence of an illegal connection or use of the second water meter.
4. Customer agrees that upon there being evidence of, and/or an illegal connection and/or illegal use of the second water meter, the Town of Wiscasset may at its option disconnect or cause the disconnection of the second water meter, Charge the owner for whatever sewer charges should have been charged during the period of the violation of the second water meter, and/or issue a fine for a violation of the applicable adopted policy.
5. Customer agrees that this Permit will terminate upon the sale of the referenced property. Any new owner must submit a new Permit with the Town of Wiscasset agreeing to all the requirements of the Second Meter Program, including the re-inspection of the second meter system in the home.
6. Customer agrees to obtain any other required permits or inspections.
7. The Town of Wiscasset reserves the right to discontinue the second meter program or revise the related fees at any time, if it proves to be financially harmful to the Town of Wiscasset

The undersigned accepts full liability and indemnifies the Town of Wiscasset, and all respective agents and holds them harmless for all work performed in relation to this application and certifies under the pains and penalties of perjury that the information as contained herein is true and correct.

Sign Here

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

Do not write below this line

Application approved by: \_\_\_\_\_

On date: \_\_\_\_\_