WISCASSET SELECT BOARD, TAX ASSESSORS, AND OVERSEERS OF THE POOR MINUTES, JUNE 5, 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 6:05 p.m.

- 1. Pledge of Allegiance
- 2. Approval of Treasurer's Warrants
- a. Kathy Martin-Savage moved to approve the payroll warrants of May 18, May 25 and June 1, 2018. Vote 5-0-0.
- b. Kathy Martin-Savage moved to approve the accounts payable warrants of May 22, May 29, and June 5, 2018. Vote 5-0-0.
- 3. Approval of Minutes

Ben Rines, Jr., moved to approve the minutes of May 15, 2018. Vote 5-0-0.

- 4. Special Presentations or Awards none
- 5. Committee Appointments
- a. Jeff Slack moved to approve the appointment of Leslie Roberts to the Historic Preservation Commission. Vote 5-0-0.
- 6. Public Hearings None
- 7. Public Comment

Steve Christianson reported that the second foot bridge to White's Island had collapsed. The Conservation Commission had met with the Maine Coast Heritage Trust and will be applying for a grant.

Nancy Roby asked if the Water District will fix the bumps Federal Street after the work is complete and was assured they would be fixed when the work is complete.

Pam Logan asked that the sign on Fort Hill Street be fixed so that it directs traffic correctly.

Kim Dolce thanked Marian for showing Bill Mahony how to view the meetings on Youtube. She asked if all meetings could be streamed, as those at 5 p.m. are difficult to attend for some people. She also said several people had written to Road Commissioner Doug Fowler about the sand on Fort Hill Street.

8. Department Head or Committee Chair

- a. Wiscasset Fire Department Letter from Kevin Smith: Marian Anderson said that the Fire Department had received a letter of thanks from Mr. Smith following a brush fire behind his house.
- b. Harbormaster Update on vessel in harbor and upcoming season: Harbormaster Levon Travis, in an update on the sunken minesweeper in the harbor, said that he had reached out to several agencies and it appears the responsibility falls on the owner to remove the vessel at his own expense. The Coast Guard is concerned only with keeping the channel open. Travis had also contacted Maine Inland Fish and Wild Life, and the EPA. The cost to remove is \$15,000 to \$19,000. It was suggested that one of the maritime museums may be interested in acquiring the vessel. After discussion, including the need for an ordinance revision, it was decided to give the owner ten days to remove the ship. Anderson will research the process and advise the harbormaster.
- c. <u>Public Safety Advisory Council</u> Presentation of survey results: Coleen Gillian reported on the survey conducted from April 6 to May 4 which resulted in 181 responses. Goal was to obtain a snapshot of citizens' opinion of safety services.
- d. Downtown Public Advisory Committee Update William Mahoney: Mahoney said there will be one more meeting with Ernie Martin, MDOT. The original lanterns chosen do not meet the dark sky requirement and Martin was asked to find alternatives; however, the committee asked that he try to find a lantern that more closely resembled the one originally chosen. The Downtown Parking Advisory Committee had met, and it has been asked to report before the final report is given to the select board. Next meeting will be June 18 at 5 p.m.

9. Unfinished Business

- <u>a. Audit Update</u>: Fred Brewer presented the board with the final audit and reported that \$103,000 had been added to the undesignated fund balance, and as a result there was \$174,000 in undesignated funds at the beginning of the current fiscal year. The audit will be posted on the town and school websites. The board expressed appreciation for his work on the audit.
- b. Brownfields Clean-up Grant Award: Anderson displayed a blowup of a check for \$400,000 received from a Brownfields grant for cleanup of the Mason Station property. Anderson and Kathleen Onorato have attended training for administering the grant. Funds will be available October 1.
- c. Village Sidewalks Addressing overgrown shrubs and trees: Anderson reported that letters will be sent to property-owners asking that they trim shrubs and trees that have overgrown the sidewalks. If no action is taken by the property-owners, the Public Works Department will do the trimming so that sidewalks are clear, and it is the intent that the work be completed by July 4. John Reinhardt asked if the Town could deal with the trash on a property on Lee Street and the broken fence on Route 1. Police Chief Lange said the Lee Street property owner is cooperating with the town on the trash left by a tenant. The Code Enforcement Officer is working on both issues.

10. New Business

a. Request for authorization for the town manager to execute a service agreement with the Coastal Humane Society d/b/a Lincoln County Animal Shelter: Kathy Martin-Savage moved to authorize the

Town Manager to execute on behalf of the Town of Wiscasset, the "Agreement for Services" with the Coastal Humane Society d/b/a Lincoln County Animal Shelter. Vote 5-0-0.

- b. Downtown Public Advisory Committee Discussion: Kathy Martin-Savage asked if the board would consider having a couple of local business owners join the PAC. It was decided to discuss the issue after the new board is elected.
- c. New Business License Peter Eaton and Joan Brownstein Antiques and Art: Judy Colby moved to approve the New Business License Application for Peter Eaton and Joan Brownstein. Vote 5-0-0.
- d. Yacht Club request for ordinance regarding abandoned distressed and sunken vessels within Wiscasset Harbor see letter from Donald E. Davis Commodore: discussed earlier.
- e. Resignation Allen Tarrance, Wiscasset Police Department: Tarrance has submitted a letter of resignation from the Police Department because he has been called to Active Duty in the Maine National Guard. He will remain a reserve officer. Judy Colby moved to accept the resignation with regret. Vote 5-0-0.
- f. Pier Vendor Permit Wiscasset Area Chamber of Commerce Kayak Regatta Committee: Frank Hanson leads the team helping the Waterfront Committee with regatta activities. The 6.2-mile race on June 30 will run from Newcastle to Wiscasset ending at the recreation pier. The race lasts 2 hours. Also planned is an open mike night with local talent. Hanson asked that a section of the parking lot be reserved for spectators and vendors. He also asked that space be reserved for pedestrian's walkway. He inquired into, if possible, a 220 hookup for food trucks that will require that power. Anderson said the town had installed 220 power on the Main Street pier, and she will check on the availability of power on the rec pier and report back on the 19th. Sue Robson said there is a \$25 fee for vendors on the pier and Hanson said that would be a reasonable fee for the two-hour period the food trucks would be on the pier. Ben Rines,Jr., moved to approve the Pier Vendor Permit Application for the Wiscasset Area Chamber of Commerce Kayak Regatta Committee. Vote 5-0-0.
- g. Bid Opening Sale of 2003 Ford E450 Type III Ambulance: Only one bid had been received. In response to Bob Blagden's question, Anderson said the request for bids had been sent to MMA, was on the Bulletin Board and had been discussed in meetings. Because the bid had not been widely advertised, it was decided to send out another request for bids. The bidder who had responded will be advised that his bid had not been opened and of the board's decision to rebid. Anderson will check the minutes regarding sites where the bid was advertised. Kathy Martin-Savage moved to rebid the vehicle. Vote 5-0-0.

11. Town Manager's Report

Anderson read a letter from Rep. Chellie Pingree congratulating Wiscasset on receiving the Brownfields grant for Mason Station.

Anderson will be meeting on Wednesday, June 6 with the FAA on the aviation easement for the airport and to discuss future capital expenditures at the airport. Fencing to secure the perimeter and continued funding for the final aviation easement are on the agenda.

The Conservation Commission has been working on obtaining a grant to repair the White's Island bridge. Chesterfield Associates has been contacted for an estimate. FEMA is also being contacted for funds to repair the bridge that was damaged by last fall's storm.

MDOT construction preproject meeting on Friday. MDOT reviewed the contract with the contractor and reviewed fines for non-performance.

A meeting had been held between the Wastewater Treatment Plant and Public Works reviewing the what utilities need to be removed. The project schedule will be posted on the website.

The Waterfront Committee is working with the DEP for permits for bathrooms at the waterfront.

12. Other Board Business

Toby Martin had provided answers to Edgecomb's questions on ambulance service to that town. Judy Colby and Jeff Slack attended the meeting with the Edgecomb selectmen. The selectmen were concerned about uncollectibles and not having sufficient funds in the budget. They will be meeting and get back to Wiscasset.

Ben Rines asked if there would be an information meeting after the election. An organizational meeting was scheduled for June 14 at 6 p.m. to elect chair and vice-chair.

Police Chief Lang in a public service announcement warned residents to lock vehicles as there has been a rash of motor vehicle break-ins all over town.

Kim Dolce asked that the Parking subcommittee be included in the PAC and asked that MDOT meetings be publicized.

Kathy Martin-Savage thanked the American Legion and veterans for the Memorial Day Service and putting out flags in the cemetery. She also thanked the road crews for their work at the cemeteries.

Michelle Wentworth thanked her mother-law, Clara Dow Wentworth, for placing a flag every year.

Bob Blagden said he enjoyed serving with Judy Colby, Ben Rines and Jeff Slack.

Judy Colby wished Jeff Slack all the luck in the world and thanked him for service on the board.

Ben Rines, Jr., added his thanks to the board members.

13. Adjournment

Jeff Slack moved to adjourn the meeting at 7:40 p.m. Vote 5-0-0.

Town of Wiscasset May 2018 Monthly Reports





AIRPORT REPORT

To: Marian L. Anderson, Town Manager

From: Rick Tetrev

Re: Airport Monthly Report

Date: June 13, 2018

Attachments:

1. Aircraft operations

Activity for the month of May was in line with 2017, as reported by the G.A.R.D. system (Airport Invisible Intelligence System). There were 446 flight operations for the month. Last year in May there was 470 flights.

For the month of May KIWI had 14 aircraft that were housed either on the ramp or in a hangar. They purchased a total of \$2,292.94 in gas and paid \$565.00 in rent.

On May 29 KIWI had a delivery of 8,286 gallons of Aviation Gas, 100LL. The price for this load was an increase of \$0.31 per gallon. In terms of the budget there is \$2,319.05 remaining for either Jet A or Aviation Gas. To purchase more aviation gas at current price levels we can only procure 540 gallons. Profit on 540 gallons would be \$377.52. However, KIWI is required to replace our credit card self-service dispensing system and the remaining funds will be used to supplement the procurement of the new system.

In regard to the credit card system mentioned above QT Petroleum (QTpod) manufacturer of our current system was discontinued in 2017, and as a result, new replacement parts are limited, or no longer available.

Thus, they no longer offer software updates, replacement parts or technical support, including telephone technical support. They notified us well in advance of the end of the total support date so we can plan ahead. They also offered a very nice incentive of \$4,500.00 off the full price of \$15,745.00 if we purchase the system within 60 days.

KIWI has accepted their offer and the new system will be installed on June 18 and 19, 2018.

The new system is a digital internet system versus the current analog phone line system used for transaction processing. I believe that this upgrade, even though mandated, will make our fueling system more reliable and cut down on wait times for our customers' as credit cards will be verified much quicker.

Revenue to date is \$210,580.51 representing 94.12% of the budgeted revenues of \$223,725.00.

Expenses to date is \$201,383.93 representing 79.07% of the budgeted expenses of \$254,697.00

Respectfully submitted,

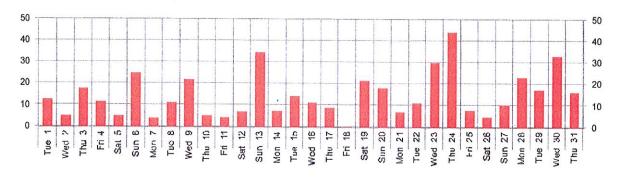
Rick Tetrev

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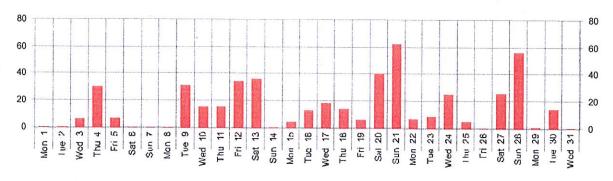


Estimate of Aircraft Operations Per Day For the 05 Month 2018



Estimate of Total Aircraft Operations for the 05 Month is 446

Estimate of Aircraft Operations Per Day For the 05 Month 2017



Estimate of Total Aircraft Operations for the 05 Month is 470



60

EMS/EMA REPORT

To:

Marian L. Anderson, Town Manager

From: Toby Martin, EMS/EMA Director

Re: Date:

May Monthly Report June 4, 2018

Run Reports: May

36	
2	
7	Total Calls
5	
6	
4	
	2 7 5 6

Other:

- 1. Open House went very well, with good feedback having it the Saturday before the holiday weekend. Raised just over \$100 for the vehicle fund.
- We attended the EMS ceremonies for EMS Week and received Gold Status (Heart Safe).
- 3. We are still working with FEMA on the wind storm and the submission of documentation.
- 4. Director Martin attended the Community Paramedicine Program meeting in Augusta, still moving forward with Community Paramedicine for the Wiscasset area. Pending the training requirement summited by the state committee.
- 5. The EMS department is looking for selectman volunteers to participate in the July 4th dunk tank fundraiser. Anyone interested? EMS will be participating in the parade giving out freeze pops
- 6. Reminder to the board of selectman that FEMA training is required for new board positions. Training dates to follow.
- 7. Director Martin and one other will be participating in the Child Safety Seat Program in Lewiston June 8-21, 2018

Respectfully Submitted,

Director Martin



Wiscasset Police Department

To: Marian L. Anderson, Town Manager

From: Jeffrey Lange, Wiscasset Police Chief

RE: May Monthly Report

Date: June 12, 2018

Significant Events and Issues

- The Department received the resignation of Ofc Allen Tarance. Officer Tarrance
 and his family decided to commit full time to the National Guard. Ofc Tarrance
 has requested to remain as a Reserve Officer for the Wiscasset PD.
- 2. The elderly gentleman that was struck by a motor vehicle on April 3, 2018 on Gardiner Rd is recovering. The investigation is still open and waiting toxicology reports from the State of Maine Lab from the driver of the motor vehicle.
- 3. The Police Department responded to 709 calls for service in the month of May. This is a 10.1% increase from April's calls for service. April #'s were 644. Please see below for the breakdown of the calls for service.

Harbormaster-

- PD Admin Assistant sent out letters for overdue moorings and sent out commercial pier permits and continues to update mooring database with accurate information. Harbormaster and Admin are working with a citizen to map the mooring field.
- 2. The Harbormaster and the PD Admin Assistant attended the waterfront committee meeting.

June 11- Update- The Harbormaster has resigned.

Calls for service on next page



Types of calls	Call Amounts
ANDONED MV	1
ANIMAL COMPLAINT	5
ALARM BURGLAR	10
ASSAULT	1
ASSIST CITIZEN	17
ASSIST OTHER AGENCY	8
ATV COMPLAINT	1
BURGLARY	1
PROPERTY CHECK	387
CIVIL COMPLAINT	5
CRIMINAL MISCHIEF	3
COMMUNITY POLICING	7
Concealed Weapons Permit	1
DISABLED MV	5
DOMESTIC DISTURBANCE	3
ERRATIC OPERATIONS	32
ESCORT/TRANSPORT	2
FIRE	7
FIGHTING (NON-DOMESTIC)	2
FIREWORKS	1
HARASSMENT	2
JUVENILE PROBLEM	3
LOUD NOISE	6
MEDICAL EMERGENCY	16
MOTOR VEHICLE ACCIDENT	13
MOTOR VEHICLE STOP	67
PARKING PROBLEM	2
PEDESTRIAN CHECK	5
POLICE INFORMATION	10
FOUND/LOST PROPERTY	6
SERVICE	5
SEX OFFENSES	1
SHOPLIFTING	1
Sex Offender Registration	2
SPECIAL DETAIL	10
SUSPICIOUS ACTIVITY	20
TRAFFIC HAZARD	5
THEFT / FORGERY / FRAUD	9
THREATENING	1



Total	709
WELFARE CHECK	8
WARRANT ARREST	2
VIOLATION OF PROBATION	1
UNWANTED SUBJECT	4
TRESPASSING	2
TRAFFIC CONTROL	9



PUBLIC WORKS DEPARTMENT

To: Marian L. Anderson, Town Manager **From:** Doug Fowler, Public Works Director

Re: May Monthly Report

Date: June 13, 2018

Operations:

In addition to our daily routine, a few noteworthy endeavors:

- Constructed a gravel pad/driveway at the Waste Water Facility for their portable generator which will be wired to the main building.
- Replaced a failing 24" culvert on the Dickinson Road with a 30". Increased diameter to accommodate the ever increasing storm flows.
- Graded Dickinson Road and added about 100 cubic yards of gravel to the surface.
- Repaired and installed the gate at the Foye Cemetery also located on the Dickinson Road.
- Ditched the shoulders of the Bog Road.
- Felled two maple trees and removed stumps and all at the Community Center Playground.
- Launched the float at the Ferry Landing.
- Extensive pavement patching on the Chewonki Neck Road
- I met with a forestry service to discuss the mulching of the trees at the airport located in the northeast area of the "Object Free Area." Compiled an RFP.

I would also like to mention the hard work and tenacity of the Cemetery Crew to get the Town's cemeteries in fine shape for Memorial Day. The holiday is a deadline that comes up quick!

Financials

At 91.67% of the budget year, the budget is 87.91% spent. We should be good through the end.

To conclude, all is well within the Department.

Respectfully, and at your service,

Doug



PARKS AND RECREATION DEPARTMENT

To: Marian L. Anderson, Town Manager

From: Lisa Thompson, Parks & Recreation Director

Re: May Monthly Report

Date: June 7, 2018

Program Updates & Community Events

- Baseball and T Ball Open Day May 12 with about 100 players and family members participating
- Summer Camp Registration opened May 1
- Gr. 6-8 Adventure Program canceled due to lack of enrollment and bussing.
- Fridays at the Farm, collaboration with ASA and Morris Farm began on May 18
- Summer Hours began Memorial Day weekend and are as follows:
 - O Monday- Thursday: 5 am- 8 pm (front desk closes at 7 pm)
 - o Friday- 5 am- 6 pm
 - Saturday 8 am 12 pm
 - Sunday CLOSED (through October 7)

Coordination Meetings & Professional Development

- Bi- Monthly Team meetings held (2 X)
- Participated in town wide emergency evacuation drill on May 18
- Attended meetings for 4th of July planning
- Hosted MRPA Board of Directors meeting on May 10

Revenue

- May revenue: \$49,128.28 We are currently \$21, 082.87 over last year's revenue at this time. Our current revenue for the fiscal year is \$401,819.34 (as of 5/31/2018)
- Summer Membership Sale is in full swing and runs through June 30. We have surpassed our goal of selling 50 new memberships and have set a new goal of 100 new memberships.

Important Upcoming Events and Programs:

- June 25th Summer Sports programs begin
- June 28: WCC will be closed all day for All Staff Training in Safety and Summer Preparations
- June 28: Wiscasset Art Walk 5-8 pm
- July 2: Mainely Summer Camp Begins
- July 4: Wiscasset celebrates with 4th of July parade and family activities at the waterfront
- Alive on the Common Series begins July 5th
- July 16-20 Challenger Soccer Camp



TRANSFER STATION

Marian L. Anderson, Town Manager To:

From: Ron Lear, Transfer Station Superintendent

May Monthly Report Re:

June 8, 2018 Date:

Below are the materials processed thru our facility during the Month.

Type of Material	Tons	Cost/Ton	
Municipal Solid Waste (Trash)	182.88	-\$70	
Demo	65.67	-\$70	
Single Stream	34.98	-\$5	
Metal	27.5	+\$110	
Computers / TV	0 lbs.	+\$.15/lbs	
Brush/Lumber	115.25	-\$35	
Organics for Compost	2,000 lbs.	0	
Mixed Copper/Alum/Lead	300 lbs.	+\$1.08/lbs.	
Shingles	0	- \$56	
	0	-\$0	
Cardboard	0	+\$130	

We also recycled 26 bales of cardboard.

Below are the details of our revenue collections for the month.

Types	Revenues:		
User Fees	\$6,978.07		
MRC Dividend	\$5,927.75		
Metal (Light iron, batteries, mixed copper)	\$5,716.60		
Cardboard	\$ 0		
Computers	\$ 0		

Operations:

The 1st I hired Dave Renfro to replace Spencer. The 10th we had the scale calibrated. 11th we shipped 30 yards of leaves for compost. 16th moved 6 yds. of inert fill. 22nd Napa picked up 920 lbs. of lead acid batteries and Webbers picked up 1 load of gray water. 25th sold 300 lbs. of mixed copper and moved 3 yds. of inert fill. 30th moved 3yds. of inert fill.

Expenses & Revenues:

Expenses are at 85.98% and the Revenues are at 99.56%



TOWN TREASURER REPORT

To:

Marian L. Anderson, Town Manager

From:

Vernice Boyce, Town Treasurer

Re:

May Monthly Report

Date:

June 12, 2018

Tax collections:

Real estate \$177,055.05 Personal property \$4,757.12

Credit card receipts over the counter: \$12,659.62

Budget: The Finance Department, as of May 31, has spent 79.79% of its budget; we are 92% through our current fiscal year. YTD finance has **underspent** by 7.25%.

TAN: Was paid off in full on May 1, 2018.

Bank Accounts:

Town operating \$1,492,458.30

As of July 1, we will be treating the school like all the other departments of the town. We will transfer funds into their checking account based on warrant expenditures. We also plan to move excess funds in their checking account to ours after the June statement has been reconciled. We will be leaving them a buffer of \$5,00.00 plus the balance of any outstanding checks.

Please contact Vernice Boyce @ 207-882-8200 Ext. 107 or treasurer@wiscasset.org if you have any questions.

The 2019 Shore and Harbor Planning Grant Program

The Grant program is available for a variety of harbor /waterfront planning projects, however, it may not be used for construction.

The total amount of funds available is \$150, 0000 and the maximum grant award is \$30,000. A 25% grant match is required.

A match, in cash or in-kind, of 25% of total project cost is required. Projects showing a substantial additional municipal share will improve the competitiveness of the project proposal. The project match can include cash and/or documented values of in-kind services. Towns will be required to provide verification of match at a point during the award period.

The Grant Deadline is May 18th 2018.

WISCASSET 3:47 PM

Exp / Rev Summary Report Department(s): 93

ALL Months

06/13/2018 Page 1

Net Profit / (Loss)	0.00	2,777.75	2,777.75	2,777.75	
Expense Total	0.00	5,222.25	5,222.25	-5,222.25	0.00
01 Miscellaneou	0.00	378.00	378.00	-378.00	0.00
90 Miscellaneou	0.00	378.00	378.00	-378.00	0.00
17 EMS Special	0.00	4,500.00	4,500.00	-4,500.00	0.00
08 Medicare	0.00	65.25	65.25	-65.25	0.00
07 Fica	0.00	279.00	279.00	-279.00	0.00
10 Personnel	0.00	4,844.25	4,844.25	-4,844.25	0.00
01 EMS SPEEDWAY	0.00	5,222.25	5,222.25	-5,222.25	0.00
EXPENSES					
Revenue Total	0.00	8,000.00	8,000.00	-8,000.00	0.00
01 REIMBURSEMEN	0.00	8,000.00	8,000.00	-8,000.00	0.00
01 EMS SPEEDWAY	0.00	8,000.00	8,000.00	-8,000.00	0.00
REVENUES					
93 EMS SPEEDWAY					
Account	Budget	Month	To Date	Balance	Percent
		Current	Year		



Town of Wiscasset, Maine Policy Regarding Check Disbursement Prior To Expenditure Warrant Approval

I. Purpose

The purpose of this policy is to allow for prompt payments of the obligations of the Town of Wiscasset by the Town Treasurer, and to allow for timely payment of bills submitted to the town, and for cash purchases by town staff prior to issuance of an expense warrant.

II. Scope

This policy is approved by the Board of Selectmen and applies to the Town Treasurer. It empowers the Treasurer to distribute certain funds prior to expenditure warrant approval. It is the policy of the Town of Wiscasset that all expenditures of town funds receive written approval of the Board of Selectmen pursuant to MRSA 30-A § 5603. This policy is additional to, not in lieu of, majority power. Nothing in this policy is intended to replace the authority of the full board of municipal officers, acting by majority vote, to act on any treasurer's warrant, including warrants for wages and benefits. The Treasurer shall prepare a written warrant for signature to be presented at the regular Selectmen's meeting.

III. Permitted Disbursements Prior to Warrant Approval

The following expenditures may be made by the Treasurer of Wiscasset upon review and approval by any member of the Board of Selectmen, prior to final approval and signature on the Expenditure Warrant by the majority of Board of Selectmen. The Chair will be designated the responsibility of assuring the review will occur in a timely manner.

- A. Town Employee Payroll paid on a weekly schedule on Wednesdays, including reimbursement for expenditures, mileage less than \$500. All employee payroll checks are by direct deposit.
- B. Payments to Wiscasset School Department as obligated to be paid pursuant to Wiscasset School Department approved budget.
- C. Payment of state funds collected by the agent for the Bureau of Motor Vehicles, the Department of Inland Fisheries and Wildlife, State Animal Welfare Department, plumbing fees, and concealed weapon permit fees. Such funds are not considered municipal funds, though they are co-mingled with the town's checking account. The Treasurer/Human Resource Director shall verify that the proper balance is being paid.
- D. Payroll Taxes.
- E. Automatically deducted bank charges.
- F. Credit Card charges to avoid late fees.
- G. Loan payments to avoid late fees.

IV. Deadline for bill submission

To be considered for payment on the next expenditure warrant, bills for payment must be received by the Payables Clerk or Treasurer of Wiscasset at least three working days prior to the scheduled meeting of the Board of Selectmen at which an expenditure warrant signing is scheduled. The treasurer, may, at his/her discretion, present vouchers for payment after the deadline when time permits, or doing so is in the best interest of the town.

V. Term

This policy is effective for one year after its adoption, if not sooner amended or cancelled.

RULES OF ORDER AND PROCEDURE FOR

WISCASSET SELECTBOARD

BOARD MEETINGS

- 1. <u>Regular Board Meetings</u>: The Board shall meet in regular session in the Selectboard's chambers at the Town Offices located at the intersection of US Route 1 and Route 27 at 6:00 p.m. on the first and third Tuesday of each month or any other location and time which has been designated with the requisite advance notice to be determined by the Board. From time to time, the Board may conduct meetings or workshops as is deemed necessary.
- 2. <u>Board Meeting Agenda</u>: All reports, communications, resolutions, documents or other matter to be submitted to the Board shall be delivered to the Town Manager's office by the end of business on the Wednesday before the regular meeting if they are to be considered for placement on the agenda for that meeting. The Town Manager will draft the agenda and obtain the Chairman's approval before distribution. Matters which are not on the agenda may be brought before the Board only when the Board votes to suspend the rules of procedure and add that matter to the agenda. Agenda items should state clearly the scope and intent of the action to be taken. The agenda will be delivered to the Board and posted by the Town Manager by the end of business on the Thursday before the next regularly scheduled Board meeting.
- 3. <u>Special Meetings</u>: Special meetings may be called by the Chair of the Board, by the Vice Chair in the absence, or by a majority of the Board after having attempted to contact all members of the Board. The Town Manager will draft the agenda and obtain the Chairman's approval before distribution. Notice of these meetings stating the date, the hour, and the purpose shall be served to the Board members, if possible, at least 24 hours before the specified meeting time and be noticed at all appropriate news media.

Adopted: 6/15/2004

Revised: 8/24/2004 Revised: 10/12/2004

Revised: 07/01/2014 Revised: 09/16/2014 Revised: 06/16/2016

Revised: 07/12/2016 Revised: 11/21/2017

- 4. <u>Adjourned Sessions</u>: Any session of the Board may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be extended beyond the next regular meeting. Notice of adjournment and continuation of the regular meeting will be posted and given to the media.
- 5. <u>Executive Session</u>: An executive session may be called only by a majority vote of the Board. No orders, rules, resolutions, regulations, contracts, appointments, or other official action shall be finally approved at an executive session. All matters discussed during executive session shall be held in strictest confidence by the Board and shall not be discussed with or divulged to any person other than a fellow Board member or persons in attendance at the executive session. Any violation of this confidentiality requirement shall be deemed to be malfeasance of office.

An executive session shall comply with the requirements of M.R.S.A., Sec. 401, et seq. and shall not be used to defeat the purpose of 1 M.R.S.A, Sec. 401 which reads as follows: "The Legislature finds and declares that public proceedings exist to aid in the conduct of the people's business. It is the intent of the Legislature that their actions be taken openly and that their deliberations be conducted openly."

PRESIDING INSTRUCTIONS

- 6. <u>Chair</u>: The Chair of the Board, or if absent, the Vice Chair, shall take the chair at the hour appointed for the Board to meet and shall call the members to order as the presiding officer. The roll shall be called by the presiding officer. The recording secretary shall enter in the minutes of the meetings the names of the members present.
- 7. <u>Vice Chair</u>: The Vice Chair shall serve as Chair during the absence or disability of the Chair and, in case of vacancy in the position of the Chair, pending the election of a successor.

Adopted: 6/15/2004

Revised: 8/24/2004 Revised: 10/12/2004 Revised: 07/01/2014 Revised: 09/16/2014

Revised: 06/16/2016 Revised: 07/12/2016 Revised: 11/21/2017

- 8. <u>Board Privileges</u>: The presiding officer may move, second, declare by unanimous consent, and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any rights or privileges of a Board member by virtue of acting as the presiding officer.
- **9.** Recording Secretary: The recording secretary shall be responsible for the taking and transcribing of official board minutes.
- 10. <u>Temporary Chair</u>: In case of the absence of the Chair and Vice Chair, the Town Manager shall call the Board to order and call the roll of the members. If a quorum is found to be present, the Board shall proceed to elect, by a majority vote of those present, a chair of the meeting to act until the Chair or Vice Chair appears.
- 11. <u>Decorum and Order</u>: The presiding officer shall preserve decorum and decide all questions of order and procedure, subject to appeal to the Board.

The Board shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the order of the presiding officer or the rules of the Board. Every Board member desiring to speak shall address the chair by raising his or her hand and upon recognition by the presiding officer, shall confine comments to the questions under debate and shall avoid all personalities and inflammatory language. A Board member once recognized shall not be interrupted while speaking unless called to order by the presiding officer, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. If a Board member is called to order while speaking, the Board member shall cease speaking immediately until the question of order is determined.

If ruled to be in order, the speaker shall be permitted to proceed. If ruled to be not in order, the speaker shall remain silent or shall alter remarks so as to comply with rules of the Board. All members of the Board shall accord the utmost courtesy with each other, to Town Employees and to the public appearing before

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Revised: 8/24/2004 Revised: 10/12/2004 Revised: 07/01/2014 Revised: 09/16/2014 Revised: 06/16/2016 Revised: 07/12/2016 Revised: 11/21/2017 the Board and shall refrain at all times from any rude and derogatory remarks, reflections, or abusive comments. Board members shall confine questions as to the particular matters before the assembly and in debate shall confine remarks to the issues before the Board.

Public members attending Board meetings also shall observe the same rules of propriety, decorum, and good conduct applicable to the members of the Board and Town staff.

Members of the Board and/or public will be asked to comply with decisions of the presiding officer and the rules of the Board. Should a member of the Board or public continue to violate, or not adhere to, a decision of the presiding officer or rules of the Board, the Chair may call a recess of the meeting, the length of the recess to be determined by the Chair, and reconvene later to finish conducting the business of the Board. Should the member of the Board or public continue to violate or not adhere to a decision of the presiding officer or rules of the Board, the Chair may unilaterally adjourn the meeting until a later date.

Should behavior by any member of the Board or public elevate to a level of disorderly conduct, the Board may request the Town manager or other designee to contact a law enforcement official to intervene.

If the presiding officer fails to act, any member may move to require the enforcement of the rules and the affirmative vote of a majority of the Board shall require the presiding officer to act.

Members of the administrative staff and employees of the Town shall observe the same rules of procedure and decorum applicable to members of the Board.

While the presiding officer shall have the authority to preserve decorum in meetings as far as staff members and Town employees are concerned, the Town Manager also shall be responsible for the orderly conduct and decorum of all

Town employees. Any staff member or employee desiring to address the Board

Adopted: 6/15/2004 Revised: 8/24/2004 Revised: 10/12/2004 Revised: 07/01/2014 Revised: 09/16/2014 Revised: 06/16/2016 Revised: 07/12/2016 Revised: 11/21/2017 shall be recognized by the Chair, shall state name and job title for the record, and shall limit remarks to the matter under discussion. All remarks and questions addressed to the Board shall be addressed to the Board as a whole and not to any member thereof. No staff member other than the person with the floor shall enter into any discussion either directly or indirectly without the permission of the presiding officer.

Aggravated cases of misconduct shall be prosecuted on appropriate complaint signed by the presiding officer. In case the presiding officer should fail to act, any member of the Board may move to require the Chair to act to enforce the rules, and the affirmative vote of the majority of the Board shall require the presiding officer to act.

Any public member desiring to address the Board shall be recognized by the Chair, shall approach the lectern, state name and address for the record, and shall limit remarks to the question under discussion. All remarks and questions addressed to the administration of the Town shall be addressed to the Town Manager or the Selectboard through the Chair and not to any municipal Town employee. No person other than members of the Board and the person having the floor shall enter into any discussion either directly or through a member of the Board without the permission of the presiding officer.

12. Quorum: A majority of the Board constitutes a quorum. If less than a quorum convenes at any meeting, the majority of those present may send for any or all of those members absent. If a quorum cannot be obtained, the meeting may be adjourned as provided by Rule 4. The Board may opt to continue in workshop session as a Committee of the Whole.

OFFICERS AND EMPLOYEES

13. Election of Officers: At its first regular meeting following the annual election, the

Board shall elect one of its members as Chair and another as Vice Chair by majority

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vote. The Chair or Vice Chair may be removed from such position and a successor may be elected by a majority vote of the Board at a meeting called for such purpose. The call of a meeting for removal or election of a successor shall require the concurrence of at least three (3) members of the Board, and the removal or election meeting shall be scheduled at a reasonable time and with reasonable notice to all Board members.

- 14. <u>Town Manager</u>: Unless excused, the Town Manager shall attend all meetings of the Board, except when the Town Manager removal is being considered. The Town Manager shall keep the Board fully advised monthly as to the financial condition and needs of the Town. The Town Manager may make recommendations to the Board and may take part in discussions on all matters concerning the welfare of the Town but may not vote.
- **15**. <u>Town Clerk</u>: The Town Clerk is the ex-officio clerk of the Board. The Clerk shall keep a minute book in which shall be recorded in chronological order the minutes of all proceedings of the Board.
- 16. <u>Town Attorney</u>: The Board or any Board member, Chair of the Board, or Town Manager may at any time call upon the Town Attorney for an oral or written opinion to decide any question of law. Further, the attorney may be asked to state an opinion upon any rules of parliamentary procedure, which opinion shall not be binding upon the Board. All legal correspondence to an individual Board member shall be given to all Board members.
- 17. Officers and Employees to Attend: The head of any department, committee chair or municipal official, when requested by the Town Manager or Board Chair, shall attend any regular, adjourned, or special meeting and confer with the Board on matters relating to the Town. Any employee, when requested by the Town Manager, shall attend any regular, adjourned, or special meeting and confer with the Board on matters relating to the Town. The Board designates the third Tuesday of each month for regular reports from selected department heads or committee chairs to be determined by the Town

Manager.

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DUTIES AND PRIVILEGES OF MEMBERS

- 18. Right of Appeal: A ruling of the presiding officer may be appealed by any Board member. If the appeal is seconded, the member making the appeal may briefly state the reason for it, and the presiding officer may briefly explain the ruling. There shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question "shall the decision of the chair be sustained" to the vote. If a majority of the members present vote yes, the ruling of the chair is sustained, otherwise it is overruled.
- 19. <u>Voting:</u> Every Board member present when a question is put to vote shall vote either "yes", "no" or "abstain" by a show of hands. An abstention shall not count as a vote for purposes of determining the total votes cast. Where a majority is required, it shall not mean a majority of those present and voting, but at least three (3) votes in favor. Board members are encouraged to vote either "yes" or "no" or, in the case of abstention, the member is encouraged to identify the intent and reason for the abstention before the vote.
- 20. <u>Dissent and Protest:</u> Any board member shall have the right to express dissent from or protest against any action of the Board and have the reason therefor entered into the minutes. Such dissent or protest must be filed in writing and presented to the Board no later than the next regular meeting following the date of passage of the objected action.
- 21. Excusal from Attendance: Board members are urged to attend all meetings, workshops, hearings and other functions of the Board. Members shall notify the Town Manager when not able to attend a scheduled meeting or event.
- 22. <u>Appointments to Town Boards, Committees and Commissions</u>: Appointments to Town Boards, Committees and Commissions shall be made in accordance with State Statutes and the following guidelines. Candidates, after completing an application, may Page 7 of 12

Adopted: 6/15/2004 Revised: 8/24/2004 Revised: 10/12/2004 Revised: 07/01/2014 Revised: 09/16/2014 Revised: 06/16/2016 Revised: 07/12/2016 Revised: 11/21/2017 be interviewed by the Board in public session before being considered for appointment. The Board may waive the interview process requirement for reappointments and for individuals serving on standing committees, Town boards and commissions. A standing member of a committee, wishing to be re-appointed may do so by contacting the Town Clerk and may be reappointed by the Board

23. <u>Public Comment on Non-agenda Items</u>: At each regular Board meeting, there will be time devoted to any resident, taxpayer, or, in the case of an organization, an authorized representative of a resident or taxpayer, of the Town of Wiscasset to address the Board regarding any item that is not on the agenda for that meeting. Comments will be limited to five minutes per person. There will be a 30-minute maximum for this section.

BOARD PROCEDURE

- **24**. **Order of Business**: The business of all regular meetings of the Board shall be transacted in the following order, unless the Board changes the order:
 - 1. Pledge of Allegiance
 - 2. Approval of Treasurer's Warrant
 - 3. Approval of Minutes
 - 4. Special Presentations or Awards, if any
 - 5. Committee appointments
 - 6. Public Hearings
 - 7. Public Comment
 - 8. Department head or committee chair report
 - 9. Unfinished business
 - 10. New Business
 - 11. Town Manager's report
 - 12. Other Board business
 - 13. Adjournment

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- 25. Discussion of Agenda Items: As each item on the agenda for any meeting is brought to the floor for discussion, the sponsor of each item or, if there is no Selectboard member sponsor, the Town Manager shall first be allowed to present initial comments for consideration by the public and other Board members. Following introduction of this issue, there will be time devoted to any questions by Board members of the sponsor or the Town Manager regarding the agenda item to clarify the questions presented by the agenda item. The Chair shall allow questions only during this time, and no debate or discussion of collateral issues shall be permitted. Once the agenda item has been explained by its sponsor or the Town Manager and clarified by any questioning as provided above, there will be time devoted for any resident, taxpayer or authorized representative of an organization, resident or taxpayer of the Town of Wiscasset to address the Board regarding this particular agenda item. Once members of the public have asked questions or made comment, the Chair may then entertain a motion by a member of the Board. The motion must be seconded before debate can begin. At the Chair's discretion, additional questions or comments may be entertained by members of the public when the Chair deems it to be appropriate. At any time, any member of the Board can move the question. The motion is non-debatable and must garner a second. If seconded, the first vote is to move the question. If the motion passes, members of the Board then vote on the motion. If the motion fails, debate continues. All amendments and subsequent motions will follow Roberts Rules of Order.
- 26. <u>Limiting Repetition of Comments, Pertinence, Time Limits and Decorum</u>: If, during time of public comment, a person seeks merely to reinforce a point made by another speaker, his or her remarks should simply note concurrence with the specific point without elaboration.

Any comment by the pubic shall be limited to the expression of opinions or concerns regarding the agenda item or direct questions pertaining to any factual question presented by the agenda item. All such questions shall be directed through the Chair. In no instance shall debate of an agenda item be allowed between members of the public and the Board. No public comment shall be allowed which has the effect of embarrassing or attacking the character of any individual or Board member and this rule shall be liberally construed and strictly enforced.

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- 27. <u>Procedure of Motions</u>: When a question is before the Board, no motion shall be entertained except: (a) to adjourn, (b) to recess, (c) to table, (d) for the previous question, (e) to refer, (f) to amend and (g) to postpone indefinitely. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, shall be put to a vote without debate.
- 28. <u>Motion to be stated by the Chair Withdrawal of Motion</u>: A motion shall be restated by the Chair before the vote is taken. A motion may not be withdrawn by the mover without the consent of the member seconding it.
- 29. <u>Motions out of Agenda Order</u>: The Board may at any time permit a member to introduce a scheduled matter or motion out of the regular agenda order.
- **30.** Motion to Adjourn When Not in Order-Not Debatable: A motion to adjourn is in order at any time except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.
- 31. <u>Motion to Table</u>: A motion to table precludes all amendments or debate of the subject under consideration. If the motion prevails, consideration of the subject at the same session may be resumed only upon the affirmative vote of one vote more than a simple majority.
- 32. <u>The Previous Question</u>: When the previous question is moved and seconded there shall be no further amendment or debate; but pending amendments shall be put in their order before the main question. If a motion for the previous question fails, the main question and any pending amendments remain open for debate.
- 33. <u>Amend an Amendment</u>: A motion to amend an amendment is in order but one to amend an amendment to an amendment may not be introduced. An amendment

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- **34.** <u>Motion to Postpone</u>: All motions to postpone, except a motion to postpone indefinitely, may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.
- **35.** <u>Procedure in the Absence of Rule</u>: In the absence of a rule to govern a point or procedure, it shall be determined by the Board.

MISCELLANEOUS

- **36.** <u>Communications</u>: Individual Board members shall share with all Board members any written correspondence that is Town-related and not personal in nature.
- **37**. **Anonymous Communications**: Unsigned communications may not be introduced in a Board meeting.
- **38.** <u>Tie Vote</u>: In case of a tie in votes on any proposal before the Board, the proposal shall be declared lost.
- **39**. <u>Suspension of Rules</u>: Any provision of these rules not otherwise governed may be temporarily suspended at any meeting of the Board by majority vote. The vote of the suspension shall be taken and recorded in the minutes.
- **40**. **To amend Rules**: These rules may be amended or new rules adopted by a majority vote of the Board. An amendment must be submitted in writing at a preceding meeting and shall be placed on the next agenda under the order of new business.

41. Selectboard to act as a body; administrative service to be performed through

town manager; committees: It is the intention of this subchapter that the Board, as a Adopted: 6/15/2004 Page 11 of 12

Revised: 8/24/2004 Revised: 10/12/2004 Revised: 07/01/2014 Revised: 09/16/2014 Revised: 06/16/2016 Revised: 07/12/2016 Revised: 11/21/2017 body, shall exercise all administrative and executive powers of the town except as provided in this subchapter. The Selectboard shall deal with the administrative services solely through the town manager and shall not give orders to any subordinates of the manager, either publicly or privately. This section does not prevent the Board from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of any official or department, or any matter relating to the welfare of the town.

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т (207) 774 - 1200 **г** (207) 774 - 1127

Shana Cook Mueller (207) 228-7134 direct smueller@bernsteinshur.com

Via Email and Certified Mail

June 12, 2018

Jim Hopkinson, Esq. Hopkinson & Abbondanza, P.A. 6 City Center # 400 Portland, ME 04101

Dear Jim:

Thank you for your letter dated May 29, 2018.

Unfortunately, we cannot accept your client's counteroffer as outlined in your letter. Therefore, in order to maintain compliance with our action plan with the FAA we will need to continue to pursue the process of eminent domain while we respond to each of the listed items in your letter and try to continue to pursue the possibility of settlement with your client on the avigation easement at the same time.

In order to continue to pursue the possibility of settlement, I'd like to address each of your terms and conditions in this response. All of the items identified in this response would need final approval of the Board of Selectmen.

First, Section 1 in your letter titled "Implementation of improved safety measures" is simply not a category of items that the Town is able to include in the negotiation of the avigation easement. As you know, these actions and measures are not items over which the Town has control. We have consulted with the relevant funding entities of the airport and the avigation easement process who would need to approve any component of the settlement. Those relevant funding entities will not allow for the avigation easement negotiation to include discussion of these safety measures.

Second, Section 2 in your letter titled "Cutting Procedures" is an area where we can discuss some potential agreements. Anything in this letter is still subject to further approvals internally within the Town and with the relevant funding entities, but the Town is interested in continuing to discuss each of the items listed i. through vi. under Section 2. A couple of points worth noting – we are unclear what type of planting design under item ii. is relevant because the project does not include any planned plantings. In addition, under item iii., the Town expects any contractor

Jim Hopkinson, Esq. June 12, 2018 Page 2

to provide proof of insurance to the Town, but we don't expect they would be required to name your client as an additional insured. The anticipated easement language would state that the Town would be responsible for restoring the property as close as practicable to pre-project conditions.

In Section 3 of the letter titled "Offsite improvements," subject to review by the appropriate approving authority, the Town is willing to consider a potential expansion of the existing septic easement in circumstances where a site evaluator demonstrates that such an expansion of the system is necessary for the existing business operations.

Finally, in Section 4 titled "Final Compensation," you state a substantially higher value of the avigation easement than the value arrived at by the Town's appraiser. In order for the Town to respond to this counteroffer, we must have a copy of the appraisal, as the funding entities must weigh in. The Town would be happy to share a copy of the Town's appraisal when you share your appraisal with us. Please contact me as soon as possible and we can facilitate this transfer of information.

Please let me know if you have further questions or concerns. I look forward to receiving another response on the items identified herein as soon as possible. As you know, the Board of Selectmen plans to discuss the eminent domain process at a public meeting this month pursuant to the action plan we were required to submit to the FAA.

Sincerely,

Shana Cook Mueller

cc: Marian Anderson



Please respond to our Portland office

- James A. Hopkinson
- Richard J. Abbondanza
- Gerald B. Schofield, Jr.

May 29, 2018

Shana Cook Mueller Bernstein Shur 100 Middle Street P.O. Box 9729 Portland, Maine 04104-5029 Sent via Email and Regular Mail

Re: Avigation Easement, Chewonki Campground, Wiscasset Maine

Dear Shana:

My client has now received and has had an opportunity to review an appraisal of the avigation easement proposed to be acquired by the Town of Wiscasset over the property and the impact on the overall value of their property after the easement has been acquired, whether by negotiation or otherwise.

My client is willing to negotiate the conveyance of the avigation easement to the Town of Wiscasset on the following terms and conditions.

1. Implementation of improved safety measures:

Implementation of safety measures is an important aspect of the overall transaction. While the avigation easement is important to remove impediments to landing, the safety of persons on Chewonki Campground is a critical component of the overall agreement.

- (a) Chewonki Campground will be designated as a "No Fly Zone" on all FAA approved and authorized Sectional Charts, WAC Charts, Low Altitude IFR Charts and Instrument Approach Charts;
- (b) Special procedures for VFR and IFR Approaches to Runway 7 and Departures from Runway 25 will be established to provide:
 - i. All aircraft (VFR and IFR) landing on Runway 7 will be establish on a stabilized final approach to Runway 7 no later than the west side of Montsweag Brook;

- ii. All aircraft departing Runway 25 will maintain runway heading until the aircraft has reached the west side of Montsweag Brook and an altitude of 2000 feet;
- iii. No left turns on departure from Runway 25 until 5 miles from the airport;
- iv. All aircraft departing Runway 25 will use the full length of the runway with no intersection departures;
- v. Noise Abatement Procedures with established maximum decibel levels over the Chewonki Campground will be established together with monitoring stations (sample procedures attached);
- vi. Copies of all such procedures in both descriptive and charted format will be made available to all pilots with (a) direct mailing to all pilots with aircraft based at KIWI; (b) hard copies made readily available on airport for pilots of transient aircraft;(c) standard airport signage regarding the noise abatement procedure will be installed on the airport and at the airport departure ends of each taxiway; (d) noise abatement procedures will be published on the airport website and on public access websites (airnav.com, aopa.com, nbaa.com, iflightplanner.com and other similar sites);
- vii. No non-essential approaches to Runway 7 will be made between 9:00 pm and 8:00 am local time.

Cutting Procedures:

- i. Timing on tree cutting and removal will be established. Generally, such cutting will be scheduled to commence and end so as to not interfere with campground operations (the appraisal assumes the cutting will not occur during campground operations) and will be completed to allow 2 planting of grass (fall and spring) before the start of campground operations for the season following the cutting;
- ii. The Town's engineer will provide both an erosion control and planting design and schedule;
- iii. Proof of insurance to cover any damage to my client's property will be provided with my clients named as additional insureds. We assume this will come from the professionals hired to perform the tree cutting / removal;
- iv. Prior to commencing any cutting, a "pre-construction meeting" will be conducted on-site with the Town Manager, a representative from the company doing the cutting; the construction manager designated by the Town and the owners of Chewonki Campground.

Shana Cook Mueller May 29, 2018 Page 3

- v. Prior to the pre-construction meeting the trees to be cut will be specifically marked and such trees will be reviewed and acknowledged by the representative of the company doing the cutting.
- vi. The appraisal has taken into account reasonably anticipated damage to the premises resulting from the cutting and has established the "after" value with such damage in mind. Excessive damage will be repaired or compensated for by the Town / tree cutting company / Insurance, etc...

3. Offsite improvements

To return the business operations of the campground to as close to normal in the fastest manner possible and in recognition that tent sites will be inappropriate in the are where trees have been removed, the tent campsite in the area affected by the avigation easement will be converted to mobile home / trailer sites. To accommodate such sites, a new septic system will been to be installed because the existing system is not large enough. My understanding is that the current septic system is located on Town of Wiscasset property. The Town will agree to convey to my clients a septic easement for no additional consideration. The size and location to be determined and finalized before negotiations are completed.

4. Final Compensation:

Based upon the appraisal, the damages calculated for the establishment of the avigation easement is \$320,000.

Once tentative agreement has been made on the essential aspects of this offer a copy of the appraisal will be made available to the Town.

Please review the foregoing with your clients.

We anticipate scheduling a meeting with the Town to negotiate final terms of this offer.

Very truly,

James A. Hopkinson

Email: jhopkinson@hablaw.com

JAH/cac



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Shana Cook Mueller (207) 228-7134 direct smueller@bernsteinshur.com

May 15, 2018

Gail Lattrell Acting Director, Airports Division U.S. Department of Transportation Federal Aviation Administration 1200 District Avenue Burlington, MA 01803

re: Corrective Action Plan for Wiscasset Municipal Airport

Dear Ms. Lattrell:

I'm writing to you in my capacity as the Town Attorney for the Town of Wiscasset, Maine (the "Town") in response to a letter to Marian Anderson, Town Manager, dated April 16, 2017 from former Director Mary T. Walsh. My letter to you today is meant to provide the FAA with the corrective action plan Ms. Walsh requested. Below, I will outline the Town's next steps to address the immediate safety issue for the Runway 7 approach. The Town has diligently pursued the process of removing obstructions, cutting necessary trees and obtaining (and/or expanding existing) avigation easements where necessary according to the required process outlined in applicable law. The Town has thus far been unsuccessful in achieving a negotiated avigation easement over the Chewonki Campground property. Since the Town Manager received your April letter, the airport consultant retained by the Town, Janice Bland of Stantec Consulting, a Maine Department of Transportation official, Tim LeSiege, myself and Town Manager, Marian Anderson met to discuss and construct the requested corrective action plan. We have also corresponded with the Chewonki Campground owner through counsel. In addition, we received feedback from the Town Board of Selectmen at their meeting on May 15, 2018 regarding this corrective action plan.

The Town's first priority has been to negotiate a fair and appropriate settlement on the avigation easement with the Chewonki Campground property owner. They have informed us that the only reason they have not responded to the Town's offer letter dated June 19, 2017 is the difficulty they have had retaining the services of a competent appraiser to help them formulate their response. If you, or your staff, would like to review all correspondence since the Town's offer letter dated June 19, 2017, we can provide copies of the documentation. Directly following our receipt of the aforementioned letter from Ms. Walsh, I sent their attorney a certified letter asking for an update and a plan regarding their response to the Town's offer letter. Their attorney

Mary T. Walsh May 15, 2018 Page 2

responded last week informing us that they expect to receive an appraisal within weeks and will then respond to the Town's offer letter.

In Ms. Walsh's letter we were asked to address three specific items in our corrective action plan and we will take those one at a time below.

1. Eminent Domain

We were asked to address the use of eminent domain. In the event that we do not receive a satisfactory acceptance or counter offer by the end of May, the Board of Selectmen will begin to discuss the eminent domain process at one of its June 2018 meetings (this will likely be on June 19, 2018). On May 1, 2018, I sent a certified letter to the campground's attorney informing them of this component of the Town's plan. The Town of Wiscasset is a town meeting form of government and thus a vote to approve eminent domain requires a vote of the town voters. Wiscasset's next referendum date is November of 2018 and beginning the discussion and process in June would enable the Town to finalize the language by the end of the summer when State statutes require ballot language to be finalized.

2. Displacing/Relocating Threshold of Runway 7

We were also asked to address the option of displacing/relocating the threshold of Runway 7. According to Janice Bland from Stantec, a 1,240 foot displacement to Runway 7 was analyzed as part of the 2014 Airport Master Plan Update (AMPU), of which the final document was submitted to the FAA on 23 January 2015. It was determined that this alternative would have major impacts to operations at the airport. Displacing the threshold would shorten the usable runway length by 1,240 feet for aircraft landing on the Runway 7 end and taking off from the Runway 25 end, which would only allow 2,157 feet of usable runway for these operations. This would significantly restrict aircraft from being able to use the airport. The majority of the aircraft currently using the airport require more than 2,157 feet to land and takeoff on Runway 7-25 based on the runway length analysis included in the 2014 AMPU. This includes aircraft similar to the Piper PA 32 Saratoga, Pilatus PC 12, Beech King Air 200, and Cessna Citation CJ2, which frequently use the airport.

The location of the displaced threshold was determined based on the point where the displaced threshold siting surface was clear of vegetative and manmade obstructions off airport property based on treetop data obtained in 2011. It is probable that the runway would need to be displaced even longer as the treetop data is seven years old and the trees most likely have grown, which would have even a greater impact to airport operations.

3. Another Option Acceptable to the FAA

Lastly, we were asked to address any other option that would be acceptable to the FAA. Over many years and recently at the meeting among Janice Bland, Tim LeSiege, myself and Marian

Mary T. Walsh May 15, 2018 Page 3

Anderson following the Town's receipt of Ms. Walsh's April 16, 2018 letter, the Town has determined that there are no other operationally or financially feasible options for mitigating the trees that obstruct the critical safety surfaces in the Town's informed opinion.

We look forward to working with the FAA further on the implementation of our corrective action plan to ensure the airport's safe and continued operations.

Sincerely,

Shana Cook Mueller

cc:

Marian Anderson
Jim Hopkinson, Esq.
Janice Bland, Stantec Consulting
Tim LeSiege, Maine Department of Transportation
Jorge Panteli, FAA

New England Region

1200 District Avenue Burlington, MA 01803

April 16, 2018

Marian L. Anderson, Town Manager Town of Wiscasset 51 Bath Road Wiscasset, Maine 04578-4108

Dear Ms. Anderson:

The Federal Aviation Administration New England Region has been monitoring the issues related to acquisition of an easement over the Chewonki Campground property located immediately off the Runway 07 end at Wiscasset Airport. This letter is to inform you that until you obtain an easement on the Chewonki property and clear the trees, the runway project or any projects other than obstruction removal will not be funded.

Acquisition of easement over the Chewonki property has been an ongoing issue for at least fifteen years based on our historical information. Further, recent conversations during the Capital Improvement Program review with FAA and the State of Maine and with your consultant, have indicated that the landowner continues to be non-responsive to further negotiations for the easement.

Our primary concern is the significantly diminished safety of the Runway 7 approach. The inability to obtain the easement and remove the 60 to 70 foot trees from the property continues to affect the approach. Estimates to displace/relocate the Runway 7 threshold is approximately 1,200 feet or more and reduces the utility of the airport given the current 3,400 foot runway. Further, the inaction to obtain the easement and remove the trees has a significant liability implication.

Obtaining the easement over the Chewonki property is paramount to the safety of the airport and to the Sponsor. Further delays in obtaining the easement is seen by the FAA as a violation of Grant Assurance 20, Hazard Removal and Mitigation, which states:

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

A grant application for the purchase of the easement over the Chewonki property is due to FAA by the May 1, 2018 grant deadline.

The FAA requests a corrective action plan outlining your next steps to address the immediate issue of safety for the Runway 7 approach within the next 30 days. This action plan must include how the airport sponsor will resolve the issue of easements on the Chewonki property. The action plan <u>must include</u> the following options:

1. The option to obtain the easement through eminent domain;

- 2. The option of displacing/relocating the threshold of Runway 7 to clear the trees; and
- 3. Another option acceptable to the FAA.

A schedule to accomplish all of these options must also be included. If we do not received a corrective action plan within 30 days, we will place the airport in potential non-compliance.

Sincerely,

Mary I. Walsh

Director, Airports Division

CC:

Jorge Panteli -- FAA Michelle Ricci -- FAA

Luke Garrison - FAA

Mary Ann Hayes – MEDOT Aviation Stacey Haskell – MEDOT Aviation Tim LeSiege – MEDOT Aviation

10d

Date: 06/10/2018

Dear Chief Jeff Lange,

It is with deep regret that I resign from my position as Harbormaster. With the most recent issues that have arisen I believe I am not the most qualified individual for the task. I believe the citizens of the town of Wiscasset need an individual that can dedicate more time and energy to this position; none of which I have at this time. My last day will be June 30,2018 I apologize to the department for leaving it in such a position.

Sincerely yours,

Levon Travis

Wiscasset Police Department



31 Sath Road, Wiscasset MF 04578 - Office 207.882-8202 Fax 207.882-8203



109

To: Marian Anderson

Town Manager, Town of Wiscasset

From: Jeffrey Lange

Chief of Police

RE: Resignation as full time Chief of Police

Date: 06/13/2018

Mrs. Anderson,

It is with regret that I am submitting my resignation as the full time Chief of Police for the Town of Wiscasset. I have enjoyed my time here and appreciate all of those in town that have encouraged and assisted me over the past two years.

As you are aware, I was recently married in November of 2017 and my wife lives in NH. She is unable to move due to other obligations and I am focused on my marriage and family at this time.

With that being said, I would like to offer a part time alternative position as the Chief of Police working Mondays and Fridays. This would save the town the cost of my benefits. Working two days a week would allow me to complete the administrative workload that is required by the State of Maine, the town duties and of course the obligations of the Police Department and its personnel.

My last day as full time Chief of Police will be July 26, 2018. If the alternative is not what the town is wanting, I would willing to stay on part time until a suitable replacement is made until September or longer if requested.

Respectfully Submitted,

CHILD OF PURIOUS

Wiscasset Police Department
51 Bath Road

Wiscasset, Maine 04578

Kec. 5/25/10 0 Nofunds

date: $\frac{5-23-18}{\text{returning vendor(y/n)}}$

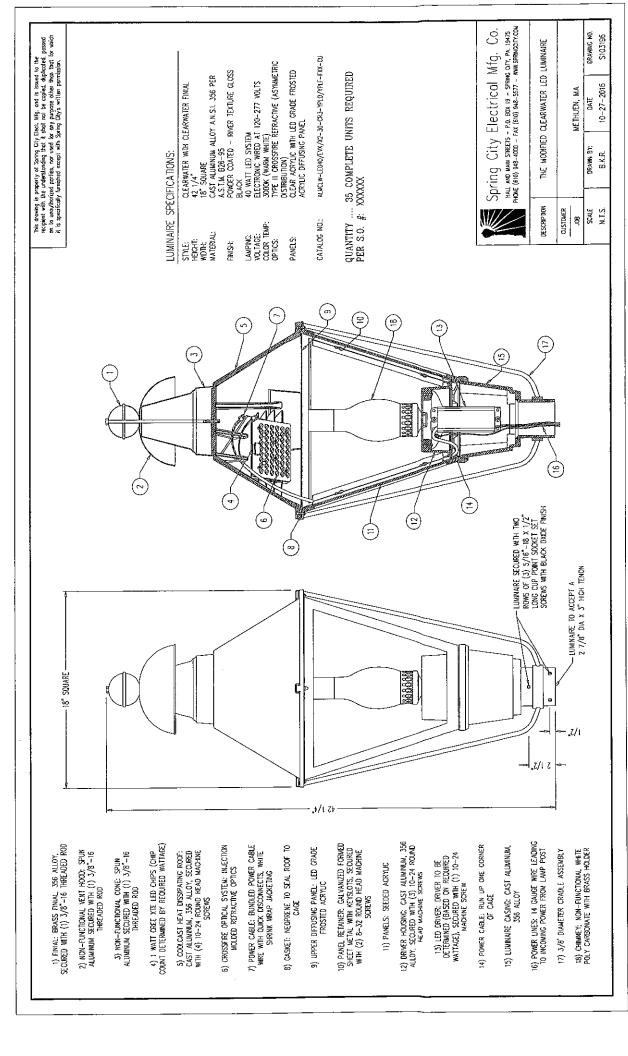
TOWN OF WISCASSET

Pier Vendor Permit Application
APPLICANT NAME: Theresh Gray/Tom HARDER
BUSINESS NAME: QTS COASTAL CONES
MAILING ADDRESS: P.O BOX 771 BATH MIC. 04530
PHONE NUMBER: 409-2262 CELL: 207-409-2262
EMAIL: Coastal Cones
SEASONAL PERMIT PER EACH SPOT: (May - Oct /calendar year) x \$400 (10' X 20') or x \$600 (30' x 34')
ANNUAL PERMIT PER EACH SPOT:
LADDER SIGN: \$40; TO READ:
I REQUEST ELECTRICAL SERVICE: 110 Volt outlet \$100/season or \$5/day additional use will be billed by the Town (subject to change)
EVENT PERMIT DATE(S)
DAY USE PERMIT \$25: DATE(s):
RETURNING VENDORS CHECK HERE IF NO CHANGES TO BUSINESS
DESCRIPTION OF ALL BUSINESS ACTIVIES THAT WILL TAKE PLACE ON SITE: INCLUDING ELECTRICAL REQUIREMENTS
Will be Serving 90e Cream, candy, coffee, soda, Novelly
we will require water & Electrical service
REQUEST FOR APPROVAL OF ACCESSORY FURNITURE: (please list all furniture and size and attached a sketch of placement)





Project: Location: Streetscape Beautification Methuen, MA Scale: N.T.S. Sheet: 1 of 1 Size: A Version: 0 Drawn By: PMT Date: 28OCT2016



LAMP STANDARDS ON HIGH STREET

One of the things about which people seem to be in agreement is that Wiscasset is a pretty village. It is not a city. It is not a metropolis. It is a village.

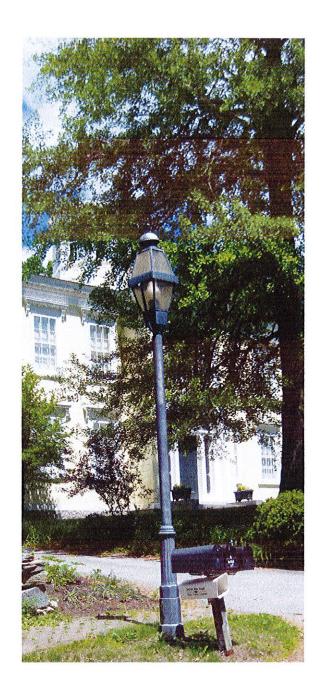
On several of the residential streets, the houses are historically important and pretty, and their owners spend a lot of resources and time to maintain them.

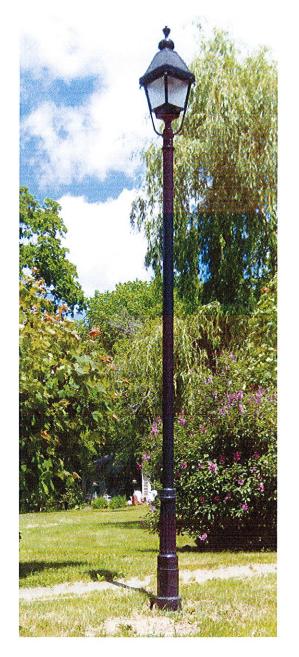
People come to participate in the Museum in the Streets program, which guides them around so that they can fully enjoy our village. Those people stop to eat and shop in Wiscasset, enabling us to be a vibrant and lovely destination, and helping some of our citizens to earn their livings here.

Several years ago, people who were interested in maintaining our reputation as "The prettiest Village in Maine" went to a certain amount of trouble to locate and have installed street lighting that was in keeping with the gentle residential streets that we call home.

Who in hell authorized the lamp at the end of High Street, which is much taller than the others, has a huge LED glaring light, and is not the same as the others on the street. Doesn't anyone in the town office have a tape measure? The time to look and replicate? This is not rocket science.

There is a lot of talk around about economic development being needed. I posit that unless and until the town starts showing more respect for its assets, economic development will continue to elude us.





WHY?

Expense Summary Report

06/14/2018 Page 1

Fund: 1 ALL Months

Account	Budget Net	Curr Mnth Net	YTD Net	Unexpended Balance	Percent Spent
01 - Administration	193,564.00	173,477.90	173,477.90	20,086.10	89.62
02 - Office of Selectmen	27,247.00	24,124.37	24,124.37	3,122.63	88.54
05 - Assessment	6,097.00	563.48	563.48	5,533.52	9.24
06 - Finance/HR/AP/Tax collection	226,198.00	191,183.80	191,183.80	35,014.20	84.52 84.96
07 - Town clerk/exise tax/registrat	83,902.00	71,281.51	71,281.51	12,620.49 10,165.95	52.11
08 - Elections	21,226.00	11,060.05 20,000.00	11,060.05 20,000.00	0.00	100.00
11 - Contingency 12 - Municipal building	20,000.00 68,152.00	57,166.86	57,166.86	10,985.14	83.88
17 - Municipal Planning&Development	57,764.00	0.00	0.00	57,764.00	0.00
30 - Contractual Services	116,000.00	186,470.51	186,470.51	-70,470.51	160.75
31 - General Celebrations	12,000.00	9,239.68	9,239.68	2,760.32	77.00
32 - Boards & Committees	1,361.00	959.82	959.82	401.18	70.52
33 - Code Enforcement	50,485.00	41,270.33	41,270.33	9,214.67	81.75
34 - General Assistance	25,076.00	14,784.50	14,784.50	10,291.50	58.96
35 - Municipal Insurance	35,944.00	32,729.00	32,729.00	3,215.00	91.06
37 - Public Utilities	220,800.00	202,242.01	202,242.01	18,557.99	91.60
38 - Unemployment	6,437.00	12,219.82	12,219.82	-5,782.82	189.84
27 - PUBLIC SAFETY	596,095.00	534,419.96	534,419.96	61,675.04	89.65
01 - Police department	446,992.00	412,865.66	412,865.66	34,126.34 25,856.78	92.37 81.21
02 - Fire department	137,616.00	111,759.22 9,795.08	111,759.22 9,795.08	1,691.92	85.27
09 - Animal control	11,487.00				
31 - PUBLIC WORKS	665,997.00	614,084.65	614,084.65	51,912.35	92.21
45 - Shellfish	8,605.00	4,901.48	4,901.48	3,703.52	56.96
46 - COMMUNITY ORGANIZATIONS	67,800.00	67,800.00	67,800.00	0.00	100.00
53 - DEBT SERVICE	245,234.48	234,756.14	234,756.14	10,478.34	95.73
60 - SCHOOL DEPARTMENT	6,038,449.26	5,536,078.54	5,536,078.54	502,370.72	91.68
61 - OVERLAY	24,197.08	9,509.14	9,509.14	14,687.94	39.30
62 - COUNTY TAX	594,745.25	594,745.25	594,745.25	0.00	100.00
72 - AIRPORT GENERAL FUND	254,697.00	246,165.00	246,165.00	8,532.00	96.65
73 - WATERFRONT & HARBORS	39,555.00	38,893.73	38,893.73	661.27	98.33
75 - TIF	217,634.01	217,634.01	217,634.01	0.00	100.00
76 - TRANSFER STATION	555,873.00	510,863.81	510,863.81	45,009.19	91.90
77 - SENIOR CENTER	11,482.00	9,775.84	9,775.84	1,706.16	85.14
78 - EMERGENCY MEDICAL SERVICES	544,250.00	514,967.85	514,967.85	29,282.15	94.62
79 - RECREATION GENERAL FUND	640,722.00	608,776.08	608,776.08	31,945.92	95.01
80 - SPECIAL REVENUE WCC	182,807.00	130,263.59	130,263.59	52,543.41	71.26
Final Totals	11,860,396.08	10,922,408.71	10,922,408.71	937,987.37	92.09



GOVERNOR

STATE OF MAINE DEPARTMENT OF TRANSPORTATION 16 STATE HOUSE STATION AUGUSTA, MAINE 04333-0016



David Bernhardt COMMISSIONER

June 4, 2018

Marian Anderson Town Manager 51 Bath Road Wiscasset, ME 04578

Dear Marian,

It is good to have the lawsuit behind us so that the lines of communication are open to discuss our important project in Downtown Wiscasset. I am writing because I thought it would be useful to respond to some of the questions that have arisen since the town withdrew its lawsuit. Unfortunately, because of the lawsuit and its timing, MaineDOT had to modify the approach it usually takes during the final stages of design, contract preparation, and bidding. It is fortunate, however, that the excellent work of the Public Advisory Committee (PAC) gave MaineDOT the information it needed for those elements of final design that are normally guided by local preferences.

Let me first address some questions that have come up regarding the October 2016 Letter of Intent and the possibility of a future Municipal/State Agreement. As I am sure you recall, the Letter of Intent was sent at a time when the town was dealing with a challenge concerning the Select Board's authority to sign, and the town's process of approving a Municipal/State Agreement. One purpose of the Letter of Intent was to document our intention, at that time, to enter into a Municipal/State Agreement that would identify which portions of the project would be funded by MaineDOT. This was at a time when the idea of the town adding additional elements – such as public restrooms – to the project was still being explored. The Letter of Intent also set out the steps that MaineDOT typically follows with this kind of highway project.

Because of circumstances that ensued after the Letter of Intent, including the town's lawsuit against MaineDOT, we did not attempt to enter into a Municipal/State Agreement with the Town prior to finalizing the contract bid documents. At this point, given the way the project has evolved, we do not believe that such an agreement is necessary because the design is complete and the project does not include any elements that would be funded by the Town. If the town wishes to enter into an agreement with MaineDOT setting out the respective responsibilities of the parties following the completion of the project in 2019, please provide me with a draft of what the town proposes along with assurances that the town has the authority to enter into the proposed agreement. MaineDOT will review the town's proposal and will respond to it at that time.

MaineDOT has awarded the construction contract and intends to pay for all elements of the contract with State funds. As you know, MaineDOT's planned demolition of the building at 36 Water Street in preparation for new public parking was halted at the request of the town in the lawsuit. Otherwise, we have been successful in substantially incorporating the Option 2 features and concepts in the project work, with some adjustments made as a result of discussions and deliberations with the PAC and it's parking sub-committee.



Finally, I would like to address questions that have been raised about parking spaces being removed from Water Street and from Middle Street near where those streets intersect with Route 1. Only a portion of the spaces identified for removal are being impacted at MaineDOT's direction. Of those directed by MaineDOT, all but one of the spaces are being removed because they are too close to the crosswalks. Safety related design standards do not allow parking within 30 feet of crosswalks at signalized intersections to ensure adequate sight lines for entering pedestrians and approaching drivers. The one remaining space that must be removed is located on Water Street, south of Route 1, and is being removed to better accommodate the movement of turning vehicles destined for the Town's boat landing.

Other spaces on Water and Middle Streets are being impacted in response to input received from the town's public safety and emergency services personnel during the PAC process (I understand three of those spaces – north of Route 1 – are inconsistent with the town's current parking ordinance). Currently, the plan is to prohibit parking in these spaces between 10 a.m. and 7 p.m. The town could decide to limit those spaces on a seasonal basis only, or to remove them altogether as it develops its new parking ordinance. If the Town wishes to modify the restrictions of the spaces not being impacted at MaineDOT's direction, that is fine, we just need to know in a timely manner.

In case you are asked, MaineDOT has the authority to alter parking on side streets if it is determined that side street parking negatively affects State highway mobility (this stems from MaineDOT's authority under 23 M.R.S. §704 to control entrances/access to state highways), or if it is determined that side street parking is dangerous or unduly interferes with the free movement of traffic (this stems from MaineDOT's authority under 29-A M.R.S. § 2068(C)).

We look forward to working with you and other Wiscasset town officials through the construction phase of the project.

Sincerely,

William A. Pulver, P.E.

Director, Bureau of Project Development

Deputy Chief Engineer

Joc, 9/11/18