

WISCASSET SELECT BOARD,
TAX ASSESSORS AND OVERSEERS OF THE POOR
MINUTES, 7/20/2021

Preliminary Minutes

Present: Kim Andersson, Pam Dunning, Terry Heller, Vice Chair Dusty Jones, Chair Sarah Whitfield and Town Manager Dennis Simmons

Chair Sarah Whitfield called the meeting to order at 6 p.m.

1. Pledge of Allegiance

2. Approval of Treasurer's Warrants

- a. Pam Dunning moved to approve the payroll warrants of July 9 and July 16, 2021. Vote 5-0-0.
- b. Pam Dunning moved to approve the accounts payable warrants of July 13 and July 20, 2021. Vote 5-0-0.

3. Approval of Minutes

Pam Dunning moved to approve the minutes of July 6, 2021, as amended. Vote 5-0-0.

4. Special Presentations or Awards – none

5. Committee Appointments

- a. Waterfront Committee: **Kim Andersson moved to appoint Ronald Leeman to the Waterfront Committee.** Dennis Simmons noted that Leeman was a vendor on the pier. Pam Dunning reminded the board that Leeman would be making decisions on his place of business. Kim Dolce commented the position was not advertised. Dunning asked that committee openings be advertised and not just listed on the website. **Vote 5-0-0.**
- b. Cemetery Committee: **Terry Heller moved to appoint Mark Light and Terrell Wells to the Cemetery Committee. Vote 5-0-0.**
- c. Budget Committee: **Terry Heller moved to appoint Kim Dolce, Thomas Joyce, Anna Ridle, and Katharine Martin-Savage to the Budget Committee. Vote 5-0-0.**
- d. Future of Wiscasset Schools Ad-hoc Committee: **Pam Dunning moved to appoint Michelle Blagden and Jason Putnam to the Future of Wiscasset Schools Ad-hoc Committee. Vote 5-0-0.**

7. Public Comment

James Cochran questioned the advisability of having two vendors on the Waterfront Committee which could constitute a conflict of interest. He said the position was not widely advertised. He recommended establishing a code of ethics incorporated into the town ordinances. Sarah Whitfield

said his memo to the board and the matter would be addressed at the next workshop and added that the Waterfront Committee acts only as an advisory committee; the select board makes the decisions.

8. Department Head or Committee Chair

a. Department Head monthly reports: Kim Andersson commented on the good job the department heads had done coming in under budget and complimented the Parks and Recreation and Public Works Departments on working together. Ed Polewarczyk commented on the number of calls the police had made and complimented them on the manner in which they had handled them. He said he was surprised at the number of adverse things that went on in the town.

b. Cemetery Committee: Peter Wells said the Cemetery Committee had voted 3-1 for the dark aluminum fence with open spindle (\$32,000 to \$40,000) and 3-1 for an archway without a gate, granite steps, granite pillars, granite benches and ground cover (\$26,400 - \$30,000). The ADA entrance will be adjacent to the Boy Scout and Girl Scout building. Construction is slated to begin next spring. Funds from the Perpetual Care fund will be used for the fence, and approval to use the funds from the sale of lots for the gate could be on the next town warrant. Kim Andersson asked that a vote to put the issue on the warrant be delayed until the next meeting, as information had not been available to the public before the meeting. Pam Dunning said she was in favor of the design, but the public should be able to see the designs and cost; she recommended that the Town have someone work on publicity. David Sutter, a long-time member of the Cemetery Committee, also recommended a public hearing to allow those with family in the cemetery and others to see and comment on the design.

9. Unfinished Business

a. Schoonerfest/Wiscasset Creative Alliance request for funds: Peter Wells said the request for funds from the Celebrations account had been reduced from \$8,000 to \$5,000. He said he appreciated the support from the Town with police, ambulance, public works, Parks & Recreation, etc. in the public/private partnership and asked the board for its support. Kim Andersson said she did not believe there was a conflict of interest (on the part of Terry Heller and Sarah Whitfield who abstained on the vote taken at the previous meeting) as they would not be gaining financially. She **moved that \$5,000 be placed on the warrant for the special town meeting in August for Schoonerfest.** Terry Heller said after reading the Bridgeton Code of Ethics she did not believe she would have a conflict of interest voting for the motion which she then seconded. Dusty Jones referred to a previous statement by the Schoonerfest committee that there would be no cost to the town; the committee should have followed the correct procedure. Pam Dunning said she opposed the motion although she thought the idea of Schoonerfest was terrific and hoped it was successful. She likened the celebration to other events at the Wiscasset Speedway where town services were used and paid for without using taxpayer dollars. She said with the cost of town services, the town's contribution might be an estimated \$20,000, not \$5,000. Steve Christiansen reminded the board that at the February 2020 meeting, the Schoonerfest Committee had said there would be no cost to the town. He asked the Schoonerfest Committee to abide by its word and the select board to abide by the vote taken at the previous meeting. **Vote 3-1-1** (Dunning opposed, Whitfield abstained).

b. Schoonerfest/Wiscasset Creative Alliance request for use of Town property/Use Agreement: Sarah Whitfield questioned the 12-month term of the agreement. Dennis Simmons said it was

boilerplate wording for what may be an annual event. Pam Dunning said Wicked Good Yoga has already rented space on the recreational pier for the week of Schoonerfest for yoga classes. Schedules will be worked out with the Schoonerfest Committee. **Pam Dunning moved to authorize the Town Manager to execute the use Agreement with the Wiscasset Creative Alliance. Vote 4-0-1** (Whitfield abstained)

10. New Business

a. Bid Openings – Bobcat 5600-Public Works

- Jordan Equipment - \$89,549.40

Pam Dunning moved to authorize the Town Manager and Public Works Director to accept the lowest qualified bid. Vote 5-0-0.

b. Animal Control Services Contract- Lincoln County: **Kim Andersson moved to authorize the Town Manager to execute the Animal Control Services contract with Lincoln County for FY'22. Vote 5-0-0.**

c. Correspondence: Wreaths Across America: A letter of appreciation was sent to Wiscasset from Wreaths Across America thanking Police Officer Sgt. Perry Hatch, Fire Chief Robert Bickford and Police Chief Hesseltine for help on their trip through town on July 3rd.

d. Monthly Financials: Dennis Simmons said everyone had done a great job under the circumstances this year.

e. Request for Liquor License re-location-Chandler Snowden, DBA In a Silent Way, LLC: Simmons said Snowden was forced to close her business on Main Street when the wall collapsed and had found new space on Water Street. **Pam Dunning moved to approve the liquor license re-location for Chandler Snowden, DBA In a Silent Way. Vote 5-0-0.**

f. Discussion on School Resource Officer and Police Cruiser: Simmons said the funding for a School Resource Officer was not approved at the annual town meeting. He said the requested amount could be reduced because Sergeant Hatch, the current School Resource Officer, did not require town health insurance. The School Department has \$10,000 that could reduce the request to \$48,000. Chief Hesseltine briefly described the duties and benefits of the SRO. **Pam Dunning moved to put the SRO on the special election warrant. Vote 5-0-0.** Chief Hesseltine described the condition of the 2015 and 2016 cruisers and said he would like to establish a replacement schedule so that requests for new vehicles were not made every year. **Pam Dunning moved to place a police cruiser on the special town meeting warrant. Vote 5-0-0.** Hesseltine asked that it be made clear that this would be a replacement cruiser.

g. Recommended Ordinance Revisions: Simmons said revisions in the ordinances were necessary because the town was no longer responsible for timber harvesting, and related terms were being removed from the ordinance. Other changes are necessitated by the potential adoption of a solar ordinance. The proposed solar ordinance will be placed on the website.

h. Employee vacation time carry-over discussion: Simmons said that several employees had not been able to take their vacation time and he asked for a one-time exception to allow the carry-over. The board supported his request.

- i. Request to use Town Property – Wiscasset Creative Alliance: postponed
- j. New Business License: Robert Stevens, DBA Sheepscot Fine Arts and Antiques, 11 Summer Street: Pam Dunning moved to approve the Business License for Robert Stevens, DBA Sheepscot Fine Arts and Antiques, 11 Summer Street. Vote 5-0-0. Dennis Simmons referred Kim Dolce and her question on the business license approval to the Planning Board.
- k. Energy Committee: The Climate Club of the WMHS recommended that the Town form an Energy Committee. Simmons said he has been working on converting the streetlights, seeking grant funds for car chargers, and looking into facility upgrades. **Kim Andersson moved to form an Energy Commission. Vote 5-0-0.**

11. Town Manager's Report

Simmons reported that the cleanup of the ash ponds adjacent to Mason Station was ready to go out to bid with a bid opening July 26. Project is slated to begin August 9 with a targeted completion date of November 12.

The Cenergy lease has had a legal review and will be on the agenda of the next meeting.

Simmons described the problems being experienced by pedestrians and vehicles because of the long wait time at the intersections of Main Street with Middle and Water streets. The DOT may place a countdown timer on the poles so people will know how much longer it will take for the light to change.

12. Other Board Business

- a. Executive Session for the purpose of labor negotiations: At 6:20, Pam Dunning moved to enter into Executive Session pursuant to 1 M.R.S.A. §405 (6)(D) . Vote 5-0-0. At 6:35 Pam Dunning moved to come out of Executive Session. Vote 5-0-0. Pam Dunning moved to approve the Police Contract from July 1, 2021, to June 30, 2024. Vote 5-0-0.
- b. Executive Session to discuss a personnel matter: Terry Heller moved to go into Executive Session pursuant to 1 M.R.S.A §405 (6) (A). Vote 5-0-0.



**REQUEST FOR PROPOSAL
CLEANUP OF 467 LOWELLTOWN ROAD
WISCASSET, MAINE
JULY 2021**

The Town of Wiscasset (“Town”) requests proposals for the cleanup of certain debris and refuse located at residential property at 467 Lowelltown Road, Wiscasset, Maine, more particularly described as Map R02 Lot 017-G on the Town of Wiscasset’s Assessor’s Map (the “Property”).

PRE-BID SITE INSPECTION: All parties wishing to submit bids will be required to attend a site inspection to assess the scope of work and cleanup on July 27, 2021. Those interested in submitting a bid and attending the pre-bid site inspection must contact the Town of Wiscasset Code Enforcement Officer no later than July 26, 2021.

SUBMISSION AND OPENING: Sealed proposals in envelopes plainly marked, “Proposal for Cleanup of 467 Lowelltown Road, Wiscasset, Maine” addressed to Dennis Simmons - Town Manager, 51 Bath Road, Wiscasset, Maine 04578 are due no later than 5 (five) P.M. August 3, 2021, and will be opened and read aloud at the Wiscasset Selectboard meeting starting at 6 (six) P.M. on August 3, 2021. The Town reserves the right to reject any bid which does not conform to this Request for Proposal.

PERMITS: The winning bidder (“Contractor”) shall provide and secure all applicable permits.

INSURANCES: Contractor shall be required to provide a copy of a current Certificate of Insurance and any subcontractor’s insurance which specifically lists the following information:

Commercial General Liability	
Each Occurrence	\$1,000,000
General Aggregate.....	\$2,000,000
Products-Comp/Opp Agg	\$2,000,000
Personal and Adv injury	\$1,000,000
Each Occurrence	\$1,000,000
Med Exp (any one person)	\$5,000
Automobile Liability	
Combined Single Limit (ea. accident).....	\$1,000,000
Worker’s Compensation.....	\$500,000

SCOPE OF WORK: Contractor shall remove and legally dispose of any discarded household items, junk, trash, tires, scrap metal, or other debris including the condemned mobile home, presently existing on the Property. Contractor shall also remove and legally dispose of any unregistered or uninspected cars, campers, trailers, boats, or other vehicles presently existing on the Property.

WASTE DISPOSAL SITES: Contractor shall legally dispose of material in a disposal site that complies with all State and Local laws and requirements.

SCHEDULE: Once cleanup has begun, it shall continue uninterrupted, during normal working hours, until completed. This work shall be completed in no more than one week, from start to finish, with the exception of those tasks that may be better accomplished without frost in the ground or need the Property to dry due to the traditional mud season. These tasks and a timeline for completion will be specified in the bid proposal. The entire scope of work will be finished no later than September 30, 2021.

SITE ACCESS AND TEMPORARY CONTROLS: Contractor shall coordinate with the Town of Wiscasset Code Enforcement Officer and Police Department regarding entry to the Property.

DAMAGE TO ADJACENT STRUCTURES: Prior to starting the work, the Contractor and the Town Code Enforcement Officer, and other relevant Town or County official or officer, shall walk the site together, making note of any existing issues. The Contractor shall be responsible for all damage to private or public property as a result of their fault or negligence in connection with the prosecution of the work and shall be responsible for the proper care and protection of all work performed until completion and final acceptance.

INDEMNIFICATION: Contractor shall defend, hold harmless, and indemnify the Town against any legal liability, including reasonable attorney fees, in respect to claims for bodily injury, death, and property damage arising from the negligence of Contractor during their work at the Property. Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the Town or their respective officers, agents and employees, under the Maine Tort Claims Act or any other privileges and/or immunities provided by law. THIS DEFENSE AND INDEMNIFICATION OBLIGATION IS INTENDED TO WAIVE ANY EXCLUSIVITY-OF-REMEDY DEFENSE OR EMPLOYER IMMUNITY PROVISIONS THAT MAY OTHERWISE BE AVAILABLE TO CONTRACTOR UNDER WORKERS' COMPENSATION OR SIMILAR LAWS.



MAINE MUNICIPAL ASSOCIATION

Risk Management Services

60 Community Drive
P.O. Box 9109
Augusta, Maine 04332-9109

10C
Telephone No.

(207) 626-5583
(800) 590-5583 Maine Only
Fax No. (207) 626-0513

DATE: July 19, 2021
TO: Members of the Workers Compensation Fund and the Property & Casualty Pool
FROM: Michelle Pelletier, CPCU, AU
Director, Risk Management Services
RE: Dividend Payments

We are pleased to announce that the Board of Trustees of the **MMA Workers Compensation Fund** voted at its May 20, 2021 meeting to allow a total dividend of no more than \$725,000 to the members of the Fund who meet the established criteria. Continuing members whose 2020 contributions are greater than \$25,000 annually, whose 2020 loss ratio is less than 40% and whose three-year loss ratio is less than 75% will receive a 4.69% dividend. Continuing members whose 2020 contributions are less than \$25,000 annually and whose loss ratio is less than 50% for the three years ending December 31, 2020, will also receive a 4.69% dividend. All losses are valued as of June 30, 2021.

The Board of Directors of the **MMA Property & Casualty Pool** voted at its May 20, 2021 meeting to allow a dividend of no more than \$600,000 to current members of the Pool who meet the established criteria. To earn a dividend, a member must have a loss ratio of 50% or less for the qualifying year of July 1, 2019 to July 1, 2020, calculated and valued as of June 30, 2021. Continuing members whose participation began on July 1, 2014 or prior will earn a 5.17% dividend and members who joined after July 2, 2014 will receive a 4.17% dividend.

Cost savings are realized in providing services to members who participate in both the Property & Casualty Pool and the Workers Compensation Fund. In recognition of the savings, both boards voted to add 1% to the dividends for each program for members who qualify and earn a dividend. If you are among the members who participate in both the Workers Compensation Fund and the Property & Casualty Pool, and you earned a dividend for either or both programs, the additional 1% has been included in the calculation.

Your entity has played a big part of making the Workers Compensation Fund and the Property & Casualty Pool successful programs through good risk management and sound loss prevention. Each of the respective boards are pleased with the results of these programs and thanks you for your support and continued participation. The final dividend distribution for the Workers Compensation Fund and Property & Casualty Pool totals \$1,324,889.

We encourage you to use the enclosed press release to announce the results of your successful risk management activities and good loss experience to your community. If you have any questions about the dividend or any of the Risk Management Services programs, please call me at 1-800-590-5583.

PRESS RELEASE
For Immediate Release

Municipal officials are pleased to announce that the **Town of Wiscasset** has received a **\$16,537** dividend check from the Maine Municipal Association because of its good performance and loss prevention programs.

The Maine Municipal Association offers three self-funded pools for municipal and quasi-public entities in Maine: the Workers Compensation Fund formed in 1978, the Property & Casualty Pool formed in 1987 and the Unemployment Compensation Fund formed in 1978.

The programs are overseen by governing boards of elected and appointed municipal officials. At its May meeting, the board approved another dividend distribution. Actual allocation and eligibility is based on the individual member's own loss experience. Michelle Pelletier, Director of Risk Management Services for MMA, said more than 79 percent of program participants received a dividend this year for their good risk management practices and favorable loss experience.

This year the Workers Compensation Fund has distributed almost **\$725,000** in dividends to participants and the Property and Casualty Pool has paid dividends of nearly **\$600,000**, for total payments of just over \$1.2 million returned directly to MMA members.

Maine Municipal Association has been paying dividends since 1997, the two programs have returned over **\$25 million** to participating members. For more information about any of the MMA Risk Management Services programs, including online training programs and other services, check the offerings on their website at www.memun.org and click on the Risk Management Services link, or call 1-800-590-5583.

10 C

June 27, 2021

Erin Bean
Director/Chief
Wiscasset Ambulance Service
51 Bath Road
Wiscasset, ME 04578

Erin:

I would like to thank you and your staff for the exceptional service I received from Ben and Brook when they responded to our 911 call on the evening of June 5. Their prompt response, quick evaluation and diagnosis allowed them to stabilize my heart condition and avoid a heart attack. The cardiac physicians at Mid Coast, and my Surgeon at MMC, told me I was very fortunate to have such good care and it prevented damage to my heart. The Wiscasset Community is very fortunate to have such a professional response team as your Service offers. While I have always been a supporter of First Responders at the voting booth, I would like to offer this contribution to the Ambulance Service in hopes that it will help fund and continue service to others. The training of your staff is certainly the key element to the level of service I received. Please keep up the good work, the folks of Wiscasset appreciate it.



Don & Cynthia Davis

1001

Donald E Davis
Cynthia PH Davis
21 Middle St
Wiscasset, ME 04578

7-10-2021

3019
52-183/12

PAY TO THE ORDER OF WISCONSSET AMBULANCE FUND \$ 500.00
FIVE HUNDRED 00/100 DOLLARS

Security Features are included on back.

FOR THANK YOU !! DEB = PD =
MP

1806



U.S. Department of Transportation Federal Aviation Administration

Airports Division New England Region CT, ME, MA, NH, RI, & VT

FAA ANE-600 1200 District Ave. Burlington, MA 01803

July 23, 2021

Mr. Dennis Simmons Town Manager Wiscasset Airport 51 Bath Road Wiscasset, ME 04578

Dear Mr. Simmons:

We are transmitting to you for execution the Grant Offer for Airport Improvement Program (AIP) Project No. 3-23-0049-026-2021 at Wiscasset Airport in Wiscasset, Maine. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
b. The sponsor's authorized representative must execute the grant by providing their electronic signature.
c. Once the sponsor's authorized representative has electronically signed the grant, the sponsor's attorney will automatically be sent via email the grant to provide their electronic signature.
d. You may not make any modification to the text, terms or conditions of the grant offer.
e. Following the attorney's action, the executed grant will be automatically sent to all parties as an attachment to an email.
f. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, **no later than August 23, 2021** in order for the grant to be valid.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi invoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these Federal funds. **We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress.** Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and
• Performance Reports, which are due within 30 days of the end of a reporting period as follows:

1. Non-construction project: Due annually at end of the Federal fiscal year.
2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

Sean Tiney, (781) 238-7627, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,

Gail Lattrell

Gail Lattrell (Jul 23, 2021 12:33 EDT)

Gail Lattrell

Director

**MUNICIPAL OFFICERS' CERTIFICATION OF OFFICIAL TEXT OF A PROPOSED
ORDINANCE**
[30-A M.R.S.A. § 3002(2)]

To the Town Clerk of the Town of Wiscasset:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled "Town of Wiscasset _____ Ordinance," which is to be presented to the voters for their consideration voters on _____ 20____.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Dated: _____, 20____.

Town Selectmen

[Notes: This form should be executed, and the ordinance and the form delivered to the Clerk, not less than seven days before the day of voting. See 30-A M.R.S.A. § 3002(2).]

By law, no ordinance of any municipality subject to this subsection may be held invalid due to the municipality's failure to comply with this subsection unless the plaintiff is harmed or prejudiced by that failure. 30-A M.R.S.A. § 3002(2)(A).]

16 SOLAR ENERGY CONVERSION SYSTEMS

16.1 Purpose and Intent

The purpose of this ordinance is to facilitate the effective and efficient use of solar energy conversion systems. The intent is to maintain the natural systems of the site, to encourage the development of solar energy systems and to protect the public health, safety, and welfare of Wiscasset citizens.

16.2 Authority

The Wiscasset Planning Board is vested with the authority to review and approve, conditionally approve, or reject any application for the installation of solar energy conversion systems, expansion of any existing solar energy conversion system, or installation of any associated facilities.

16.2.1 The Planning Board reserves the right to hire independent third-party consultants to review array proposals to determine the impact to surrounding properties or public safety implications or resolve any other issues regarding the proposal.

16.2.1.1 If the Planning Board makes a written finding of fact that professional review of the application is required, the Board shall choose a consultant to complete such review.

16.2.1.2 The applicant shall deposit into escrow an additional fee in an amount determined by the Board to cover the cost of such review.

16.2.1.3 The Planning Board shall not schedule any further review of the application until such professional review fee is paid.

16.2.1.4 When 75% of the escrow has been disbursed, review of the application shall cease until the applicant replenishes the escrow in an amount to be determined by the Board. Any part of this escrow payment in excess of the final costs for review shall be returned to the owner or the owner's agent.

16.3 Conflict

This Ordinance is not intended to interfere with, abrogate or annul any other ordinance, rule, regulation, statute, or other provision of the law except as specifically provided in this ordinance. If any provision in this ordinance imposes restrictions different from any other ordinance, rule, regulation, statute or other provision of the law, the provision that is more restrictive or imposes higher standards shall control.

16.4 Severability

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the

remainder of this ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

16.5 Definitions

Unless specifically defined below, words and phrases used in this ordinance shall have the same meaning as they have at common law and give this ordinance its most reasonable application. Words in the present tense include the future, the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

SOLAR ENERGY: Electromagnetic energy transmitted from the sun (solar radiation).

SOLAR ENERGY CONVERSION SYSTEM: A solar-based energy conversion system that converts solar energy to electric or thermal energy. Facility size is measured by calculating the square footage of solar panels at maximum tilt on the ground below.

16.6 Site Plan Application and Review.

16.6.1 Applicability

- a. Roof-mounted systems serving a single residential dwelling and ground-mounted systems less than 4,200 sq. ft. are not subject to Site Plan Review.
- b. All other ground-mounted solar energy conversion systems, expansion of any existing solar energy conversion system or installation of any associated facilities shall be approved under this ordinance. In addition, the applicant shall submit a complete Site Plan application, a building permit and any other necessary town or state approvals prior to installation.

16.6.2 Submission Requirements: In addition to the site plan submissions required in 16.6.1 above, the following plans and supporting materials shall be submitted.

- a. An Operations, Maintenance and Decommissioning Plan, providing:
 - i. a description of the regular operation and maintenance of the facility, including the frequency and scope of regular inspections and the frequency and method of vegetation management,
 - ii. the timeline and process of decommissioning of the system,
 - iii. a Maine-licensed civil engineer's estimate for the cost of decommissioning of the system,
 - iv. the amount of the surety (see Section 16.12) equal to the estimated removal cost, provided by the applicant and certified by a Maine-licensed civil engineer licensed.

vii. types and contents of guarantee

(a) Interest-bearing Escrow Account – a cash contribution equal to the estimated removal cost or the establishment of an escrow account shall be made by either a certified check made out to the Town, direct deposit into a savings account, or purchase of a certificate of deposit. For any account opened by the applicant, the Town shall be named as owner or co-owner, and consent of the Town shall be required for a withdrawal. Any interest earned on the escrow account shall be returned to the applicant unless the Town has found it necessary to draw on the account, in which case the interest earned shall be proportionately divided between the amount returned to the applicant and the amount withdrawn to complete the required work,

(b) Performance Bond – a performance bond shall detail the conditions of the bond, the method for release of the entire bond or portions of the bond to the Town, and the procedures for collection by the municipality. The bond documents shall specifically reference the array facility for which approval is sought,

(c) Irrevocable Letter of Credit from a bank or other lending institution shall indicate that funds have been set aside for the removal of the array facility and may not be used for any other project or loan.

b. Solar Energy Conversion System specifications, including manufacturer, model, and facility size.

c. Certification that layout, design and installation conform to and comply with all applicable industry standards such as but not necessarily limited to the National Electrical Code (NEC/NFPA-70), the American National Standards Institute (ANSI), the Underwriter's Laboratories (UL), the American Society for Testing and Materials (ASTM), the Institute of Electric and Electronic Engineers (IEEE), the Solar Rating and Certification Corporation (SRCC), the Electrical Testing Laboratory (ETL), and other similar certifying organizations, the Maine Uniform Building and Energy Code (MUBEC), fire and life-safety codes (NFPA 1 and NFPA101), and any other standards applicable to solar energy conversion systems.

d. Certification that the project complies with the utility notification requirements contained in Maine law and accompanying regulations through the Maine Public Utility Commission, unless the applicant intends, and so states on the application that the system will not be connected to the electricity grid.

e. An Emergency Action Plan approved by the Wiscasset Fire Chief or designee. The solar system owner or project proponent shall provide a copy of the Site Plan application to the Fire Chief for review and comment. The Fire Chief shall base any recommendation for approval or denial of the application upon review of the fire safety of the proposed system.

16.7 Dimensional Standards

16.7.1 Height – Solar energy conversion systems shall be subject to the building height limitation of 35 feet.

16.7.2 Setbacks – Solar energy conversion systems shall be subject to the setbacks from the property lines equal to the required minimum setback of the district in which it is located plus ten (10) feet for each 100,000 square feet or fraction thereof of array collector surface area.

16.7.3 Open space ratio and impervious calculations - Solar energy conversion systems shall not be included in calculations for open space in a subdivision or impervious cover.

16.7.4 Lot Coverage - The maximum surface area of a ground or pole-mounted panel system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage.

16.7.5 Design Standards – Installations shall not obstruct solar access to neighboring properties and shall be a nonreflective color that blends the system and its components into the surrounding landscape to the greatest extent possible and incorporates non-reflective surfaces to minimize any visual disruptions.

16.8 Siting and Impact

16.8.1 Solar conversion energy system panels shall be allowed only in the rural zone.

16.8.2 Solar panels are designed to absorb (not reflect) sunlight; and, as such, solar panels are generally less reflective than other varnished or glass exterior housing pieces. However, solar energy conversion systems should be sited to minimize or negate any solar glare onto nearby properties or roadways without unduly affecting the functionality or efficiency of the solar energy conversion system.

16.8.3. Preference should be given to locating the system on previously developed, degraded, or marginally productive portions of the property. No topsoil or prime agricultural soil shall be removed from the site for the installation of the system, except as necessary to comply with this section or other applicable laws.

16.8.4 Approval by the Planning Board of a solar conversion energy system shall not be deemed to constitute or be evidence of any acceptance by the Town of Wiscasset, Maine of any street, easement or other open space shown on such plan and a note to that effect shall be on the final plan(s).

16.9 Design

16.9.1 Reasonable efforts, as determined by the approval authority, Planning Board shall be made to place all utility connections underground, depending on appropriate soil conditions, shape and topography of the site and any requirements of the utility

- provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
- 16.9.2 Site lighting shall be limited to that required for safety and operational purposes and shall meet the performance standards for the same in Article VIII. 9.E (4)
 - 16.9.3 Signage and advertising shall be limited to that which provides identification and contact information of the owner and/or operator or which provides safety or warning messages to the public.
 - 16.9.4 The ground facility shall be fenced. Fencing shall be elevated a minimum of six (6) inches to allow for passage of small terrestrial animals. Any ground facility requiring Site Plan Review shall be fenced.
 - 16.9.5 Solar energy conversion systems shall maintain a clear area of ten (10) feet around the perimeter of the installation.
 - 16.9.6 Visual Impact: Reasonable efforts, as determined by the Planning Board, shall be made to minimize undue visual impacts by preserving native vegetation, screening abutting properties or other appropriate measures, including adherence to height standards and setback requirements.
- 16.10 Vegetation Management Plan. Operators shall submit a vegetation management plan approved by the Wiscasset Fire Chief or designee. The plan must indicate that the vegetation growth will be maintained under and around the installation at levels needed to reduce the risk of ignition from the electrical system while minimizing mowing to the extent practicable. Native, pollinator-friendly seed mixtures shall be used. Herbicide and pesticide application is prohibited.
- 16.11 Standards for roof-mounted and ground-mounted energy systems
- 16.11.1 Roof-mounted systems serving a single residential development and ground-mounted systems less than 4,200 sq. ft. are not subject to Site Plan Review.
 - 16.11.2 All solar energy conversion system installations shall be installed in compliance with the photovoltaic systems standards of the latest edition of the National Fire Protection Association (NFPA1).
 - 16.11.3 All wiring shall be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electric Code (NFPA70).
 - 16.11.4. Before operation, electrical connections shall be inspected and approved by the State Electrical Inspector.
 - 16.11.5 Approval under this article is conditional upon compliance with all other provisions of the Zoning Ordinance, the Maine Plumbing and Electrical Codes, Natural Resources Protection Act, Site Law, Stormwater Management Law, or other applicable

regulations and requirements of the local utility if an array is to be connected to any existing electric grid.

- 16.11.6 An array shall not be constructed until the Site Plan has been approved by the Planning Board and a Building Permit has been issued by the Code Enforcement Officer and all time for appeal by others has expired during which no appeal has been filed.
- 16.11.7 All arrays shall be operated and located such that no disruptive electromagnetic interference with signal transmission or reception is caused beyond the site. If it has been demonstrated that the system is causing disruptive interference beyond the site, the system operator shall promptly eliminate the disruptive interference or cease operation of the system.
- 16.11.8 All on-site electrical wires or piping associated with the system shall be installed underground except for "tie-ins" from above-ground mounted installations and to public utility company transmission poles, towers and/or lines. This standard may be waived by the Planning Board if the project terrain is determined to be unsuitable for underground installation.
- 16.11.9 The array site shall not display any permanent or temporary signs, writing symbols, logos, or any graphic representation of any kind except appropriate manufacturer's or installer's identification and warning signs.
- 16.11.10 Array placement must be designed to minimize or negate any solar glare onto nearby properties, airports, or roadways.
- 16.11.11 If lighting is provided at site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or the night sky. Motion sensor control is preferred.
- 16.11.12 Any point of potential contact of people or animals with generated electric current must be secured.
- 16.11.13 The boundaries of any array that border any road or any abutting residential dwelling lot shall consist of a vegetated buffer the width of the required setback along that border in addition to any fence that may be erected. Existing vegetation should be used to satisfy these planting requirements where possible. No vegetation or fence shall interfere with the required sight distance for intersections. Berms with vegetation are encouraged as a component of any buffer, and the Planning Board may allow up to 15% reduction in the required buffer width with a berm.
- 16.11.14 Arrays covering permanent parking lots and other hardscape areas approved by the Planning Board are encouraged in order to limit the amount of stormwater flowage. Such installations may have the vegetated buffer requirements substituted by the buffer requirements of the overall project at the discretion of the Planning Board.
- 16.11.15 If electric storage batteries are included as part of any array system, they must be installed according to all requirements set forth in the National Electric Code and State

Fire Code when in operation. When no longer in operation, the batteries shall be disposed of in accordance with the laws and regulations of the Town of Wiscasset and any other applicable laws and regulations relating to sold, special, or hazardous waste disposal.

16.12 Surety

16.12.1 The applicant shall provide financial assurance for the decommissioning costs in the form of a performance bond, surety bond or 'evergreen' letter of credit, for the total cost of decommissioning. The financial assurance mechanism shall be effective prior to the commencement of construction.

16.12.2 The value of the surety shall be based on a professional engineer's estimate submitted by the applicant and approved by the Planning Board. The Town may hire, at the applicant's expense, a qualified professional to review the engineer's estimate.

16.12.3 Every five years after the initial effective date of the surety, the owner shall submit an updated engineer's estimate and surety to the Town for review and approval. The Town may hire, at the applicant's expense, a qualified professional to review the engineer's estimate.

16.12.4 The Planning Board may modify or waive the requirement for surety when the Planning Board determines that because of the special circumstances of the site or project, such application requirements or standards would not be applicable or would be an unnecessary burden upon the applicant and not adversely affect the general health, safety, and welfare of the Town.

16.13 Removal and Decommissioning Requirements. Any solar energy system which has reached the end of its useful life or has been abandoned consistent with this Section shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the approval authority by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

16.13.1 Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site.

16.13.2 Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

16.13.3 Stabilization of the site to minimize erosion. The approval authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption of extant vegetation.

16.13.4 Re-vegetation. Native, pollinator-friendly seed mixtures shall be used.

16.13.2 All removal and decommissioning shall occur within 12 months of the facility ceasing to operate.

16.14 Abandonment absent notice of a proposed date of decommissioning or written notice of extenuating circumstances. The solar energy conversion system shall be considered abandoned when it fails to operate for more than one year without the written consent of the approval authority. If the owner or operator of the solar energy system fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town retains the right to enter and remove an abandoned, hazardous, or decommissioned solar energy system. As a condition of the site plan approval, the applicant and landowner shall agree to allow entry to remove an abandoned or decommissioned installation. Any unpaid costs associated with the removal after one year of removal shall be enforced as a tax lien placed on the real estate of the array site.



Maine Municipal
Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

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TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: David Barrett, Interim MMA Executive Director
(Director, MMA Personnel Services & Labor Relations)

DATE: July 12, 2021

SUBJECT: MMA Annual Election - Vice President and Executive Committee Members

Deadline: Friday, August 20, 2021 by 12:00 noon

Nomination Process – Each year member municipalities have an opportunity to vote in the election of the proposed MMA Vice President and municipal officials to serve on the MMA Executive Committee. A five-member Nominating Committee was appointed in March to review nominations submitted by municipal officials and conduct interviews with those municipal officials qualifying for and interested in serving as the MMA Vice President and on the MMA Executive Committee. The MMA Nominating Committee completed its task in May and put forth the 2022 Proposed Slate of Nominees to member municipalities.

Petition Process – As part of the May mailing, information was also provided on the MMA Petition Process. Pursuant to the MMA Bylaws, nominations may also be made by Petition signed by a majority of the municipal officers in each of at least 5 member municipalities. The deadline for receipt of nominations by petition was Friday, July 9, by 4:30 pm. There were no municipal officials nominated by petition.

It is now time for each member municipality to cast its official vote.

Election Process – Enclosed you will find the MMA Voting Ballot which includes the proposed Slate of Nominees to serve on the MMA Executive Committee as selected by the MMA Nominating Committee. A brief biographical sketch on each nominee listed on the MMA Voting Ballot is enclosed for your reference. You will note that unlike municipal elections, MMA does not provide for “Write-in Candidates” since our process includes an opportunity to nominate a candidate by petition, as noted above.

The MMA Voting Ballot must be signed by a majority of the municipal officers or a municipal official designated by a majority of the municipal officers, and received by the Maine Municipal Association by 12:00 noon on Friday, August 20, 2021. We have enclosed a self-addressed self-stamped envelope for your convenience. MMA Voting Ballots will be counted that afternoon and the election results confirmed under the direction of MMA President James Gardner, Jr., Town Manager, Town of Easton.

Election results will be available by contacting the MMA Executive Office or by visiting the MMA website at www.memun.org on Monday, August 23. A formal announcement of the election results will be made at the MMA Annual Business Meeting being held and live broadcasted on Thursday, September 30, at 11:00 a.m. Newly elected Executive Committee members will be introduced at the MMA Awards Luncheon as well as the MMA Annual Business Meeting and will officially take office on January 1, 2022.

If you have any questions on the Election Process, please contact me or Theresa Chavarie at 1-800-452-8786 or in the Augusta area at 623-8428, or by e-mail at tchavarie@memun.org. Thank you.



MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of MMA Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 20, 2021

VICE-PRESIDENT - 1 YEAR TERM

Vote for One

Proposed by MMA Nominating Committee:

Elaine Aloes, Chair of Selectboard, Town of Solon

EXECUTIVE COMMITTEE MEMBERS - 3 YEAR TERM

Vote for Three

Proposed by MMA Nominating Committee:

David Cyr, Town Manager, Town of Frenchville

Melissa Doane, Town Manager, Town of Bradley

Justin Poirier, Town Manager, Town Administrator
Town of Chebeague Island

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____

Municipality: _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____
Position: _____

Signature: _____

OR Signed by a Majority of Municipal Officers

Current # of Municipal Officers: _____

Print Names:

Signatures:

Return To:
MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358
Email: rlambert@memun.org

**MAINE MUNICIPAL ASSOCIATION
BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2022 EXECUTIVE COMMITTEE**

**MMA VICE PRESIDENT
(1-Year Term)**

ELAINE ALOES (CHAIR OF SELECTBOARD, TOWN OF SOLON)

Professional & Municipal Experience:

- Chair of Selectboard, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1998 – present)
- 2nd Selectman, Assessor and Overseer of the Poor, Town of Solon, Maine (March 1990 – March 1994)
- Auto Damage Appraiser, Bishop Adjustment Company (March 1990 – present)
- Budget Committee, Town of Solon (1995 – 1998)
- Owner/Operator, Mid Maine Adjustment Company (independent insurance adjusting company) (June 1987 – March 2005)
- Auto body repair businesses in Massachusetts and Maine (1972 – June 1987)
- Tax Preparer, H & R Block (1985 – 1992)
- Salesperson, Combined Insurance (health and accident insurance) (1985 – 1986)

Other Experience, Committees and Affiliations:

- Member, Somerset County Budget Committee (2001 – present); Vice Chair (2012 – 2016); Chair (2017 – present)
- Member, MMA Legislative Policy Committee (1999 – present)
- Member, MMA Executive Committee (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2001 – 2003) and (Dec 2016 – present)
- Member, MMA Strategic & Finance Committee (2002 – 2003) and (2017 – present)
- President, Somerset County Municipal Association (2001 – present)
- First Park Representative (2006 – present)
- Member, MMA Nominating Committee for Executive Committee (2011, 2012 and 2014)
- Member, Maine Municipal Association Rural/Service Center Committee (2002)
- Member, Somerset County Jail Planning Committee (2006 – 2008)
- Vice Chairman, Somerset County Charter Commission (2008 – 2010)
- Chair, Regional School Planning Committee for MSAD 74, MSAD 59, MSAD 12, MSAD 13 and several small towns (2007 – 2009)

Education:

- High school graduate, Medfield High School, Medfield, Massachusetts
- Kennebec Valley Technical College (courses in computers, accounting and supervisory management)
- Insurance Institute of America (Introduction to Claims)
- State of Maine (four part Property Tax Assessment course)
- Maine Municipal Association (many workshops and training on a wide variety of municipal topics such as budget preparation, finance management, personnel issues, right to know, town meetings, assessing)
- Maine Local Roads Center (variety of workshops on road issues and maintenance)

Awards and Certifications:

- State of Maine, All Lines Adjuster
- Maine Roads Scholar – Maine Local Roads (completed ten required road related workshops to earn award)

MELISSA DOANE (TOWN MANAGER, TOWN OF BRADLEY)

Professional & Municipal Experience:

- Town Manager, Clerk, Treasurer, Tax Collector, General Assistance Administrator, Registrar of Voters and Road Commissions, Town of Bradley, Maine (2005 – present)
- Membership Coordinator, GrowSmart of Maine (2016 – 2020)
- Secretary/Administrative Assistant, Roy Associates, CPAs (2004 – 2005)
- Administrative Assistant/Town Agent, Town of Bradley, Maine (1998 – 2004)
- Coor, Clinical Operations/Secretary/Patient Accounts/Registrations, Neurology Associates, (1994 – 1998)
- Secretary/Receptionist, Dr. James Iannetta Medical Office (1991 – 1994)

Other Experience, Committees and Affiliations:

- Member, MMA Executive Committee (2019 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2019 – present)
- Member, MMA Workers Compensation Fund Board of Trustees, (2019 – present)
- Member, MMA Strategic & Finance Committee (2019 – present)
- Member, Executive Board, Municipal Review Committee (2021 – present)
- Member, Executive Board, Maine Town, City & County Management Association (2016 – present)
- Co-Chair Membership Committee, Maine Town, City & County Management Association (2016 – present)
- Chair, Sponsorship Committee, Maine Town, City & County Management Association (present)
- Member, Maine Town, City & County Management Association (2005 – present)
- Member, Maine Town & City Clerks Association
- Member, Maine Municipal Tax Collectors & Treasurer Association
- Member, Maine Welfare Directors Association
- President, Executive Board, Living History Museum, Maine Forest and Logging Museum

Education:

- Business Management Studies, Husson College
- Associate Degree, Business Management, Beal College
- Associate Degree, Office Management, Beal College
- Associate College Preparation, Foxcroft Academy

Awards and Certifications:

- Certified Municipal Manager, Maine Town, City & County Management Association
- Rookie of the Year Award, Maine Town, City & County Management Association (2009)
- State of Maine Notary
- State of Maine Dedimus Justice

JUSTIN POIRIER (TOWN ADMINISTRATOR, TOWN OF CHEBEAGUE ISLAND)

Professional & Municipal Experience:

- Town Administrator, Town of Chebeague Island (Nov 2020 – present)
- Urban Development Specialist, City of Auburn (July 2020 – November 2020)
- Director, Maine Revenues Services, Property Tax Division (2017 – 2020); Deputy Director (2014 – 2017)
- Member, Town of Winthrop, Planning Board (2019 – 2020)
- Member, City of Augusta, Planning Board (2013 – 2018); Chair (2017 – 2018)
- Director, Community Development Coordinator; City of Bath (2012-2014); Coordinator (2011 – 2012)
- Administrative Assistant, Board of Selectpersons, Town of Pownal (2010 – 2011)
- Administrative Coordinator, Building Services Department, Town of Belmont, MA (2007 – 2010)

(continued)