

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
Minutes of Meeting
January 15, 2008

PUBLIC HEARING:

1. Ordinance No. 15-2007: Providing for Ordinance to be adopted by the Town Council concerning a Lease Purchase Agreement for Energy Conservation Equipment and Upgrades.

With no comments the Public Hearing was closed and Chairman Saint Amand opened the regular meeting at 7:31 P.M.

REGULAR MEETING (Postponed due to weather from 01/14/08)

1. Roll call attendance was taken with four (4) members present:

James Byrne, Brad C. Grant, Catherine M. Nadeau, and Gerald Saint Amand.

Michael Heavener, Town Manager was present along with Jean Bouchard, Administrative Assistant, and John Giroux, Public Works Director.

2. Approval of Minutes of Previous Meetings:

Motion by Mr. Grant and seconded by Mr. Byrne that the minutes of the meetings held on December 10, 2007 and January 2, 2008 be approved. Motion carried. Unanimous.

3. Appointments:

Motion by Mr. Byrne and seconded by Mr. Grant to appoint Pamela Smiley as Registrar of Voters for 2008 and 2009. Motion carried. Unanimous.

4. Communications

- a. Legislative Update

Mr. Fletcher reported the School Consolidation Law is undergoing changes.

- b. Other

1. Copy of Minutes from Kennebec Water District November 15, December 6 and December 20 meetings.
2. Copy of Minutes from School Committee meeting held December 4.
3. Copy of School Committee Agenda for January 7, 2008.

4. Copy of Minutes from Kennebec Sanitary Treatment District November 20 meeting.
5. Copy of Minutes from Planning Board July 12, August 2, September 6, November 1, November 8, November 15, November 30 and December 6 meetings.

5. Council Update:

a. John Giroux

Mr. Giroux asked the Council to consider changing garbage collection in the future. He provided a packet which outlined two options, an automated truck and pay per bag. Mr. Heavener agreed to check with the Solid Waste Committee to see if another community is interested in any of these options. It would be beneficial to have the same programs with neighboring towns. For the present time, Mr. Giroux requested some regulations for garbage collection be implemented. The council will review the regulations.

6. Reports of Committees and Commissions

a. Town Manager Report

Lee Breton Retiring After 29 Years

Lee Breton began working for the Town of Winslow in 1978 as the Parks & Rec Director. Since then he has seen numerous changes in the Parks & Rec Program and has been instrumental in many of those changes.

His first major project as Director was Fort Halifax Park, which at the time was not as we know it today. The photograph on this page was taken from Lithgow Street and depicts what the park looked like before it was actually a park. Lee said when he began the project you could not see the river from the road.

Utilizing grant funds, Lee over saw the development of the park which involved removing an auto salvage yard, cutting trees and extensive earth work. Today, visitors to the park enjoy the relaxing setting the park has to offer.

When Lee first started there were only a few athletic fields along with two Little League fields and a Clinton Avenue playground.

He said over the years he has had the opportunity to work with many generous volunteers who have given both their time and money to help enhance recreational opportunities for our youth. Lee sited the addition of the Nivison and LaVerdiere athletic fields since his arrival as prime examples of the generosity of others.

Also during his tenure as Parks & Rec Director, Lee has seen the addition of an athletic track, tennis courts and a playground.

In 1978 the only youth programs that existed were soccer and basketball. Lee said since then many youth programs have been added including a summer youth program.

Lee said the reason for the success of the Parks & Rec Department and its programs are the many volunteers who make the programs happen. In addition, he said the dedication and commitment of the Parks & Rec Committee has been a driving force behind many of the programs and projects of the department. He said we would not have what we have today without them.

Mutual Release & Settlement Agreement

In my November 7, 2007 Manager's Report I wrote about Winslow receiving credit for a portion of Waterville's solid waste delivered to PERC, which began in the fall of 2001 when PERC started crediting Winslow with 15% of Waterville's commercial waste. This credit to Winslow continued until the spring of 2007 when Mike Roy and I advised PERC to discontinue giving Winslow partial credit for Waterville's commercial waste.

Unfortunately this resulted in Winslow receiving Performance Credits and Cash Disbursements from PERC that should have been given to Waterville. The Waterville/Winslow Solid Waste Corporation asked PERC to conduct an audit to determine how much Winslow was over credited.

At the conclusion of their audit, PERC reported that the Town of Winslow received \$28,969.18 in cash disbursements and 0.013147% of ownership interest in PERC that should have been credited to Waterville.

In your packet is a Mutual Release & Settlement Agreement, along with supporting documents, in which the Town of Winslow agrees to pay the City of Waterville \$28,969.18 in overpayments we received from PERC, as well as, transferring 0.013147% of our ownership interest in PERC to the City of Waterville.

If you approve Resolution 1-2008 it will authorize me to sign the Settlement Agreement and thereby resolve the matter. City Manager Mike Roy and I can then finalize a repayment schedule.

ORION Ropeworks Inc Lease

In your packet is a renewal lease for ORION Ropeworks. The proposed lease is a 10 year lease, which includes addressing repayment of the outstanding deferred rent.

Along with the lease is Order 2-2008, which authorizes me to sign the lease. The Town Attorney will not be present at our meeting on January 14th but he will be present at our February meeting to answer any legal questions you may have about the lease.

Private Drive Road Acceptance

In your packet is Order 1-2008, which if adopted would accept Private Drive as a Town Street. If this order passes the first reading then the Town Attorney would be present at the second reading to answer any legal questions you may have.

Bank Slope Stability Consultation

In your packet is Resolution 2-2008, which will authorize me to sign the attached proposal for Consultation on the Effects of Reservoir Drawdown on Bank Slope Stability due to Fort Halifax Dam Removal. This resolution was prepared in advance of the Planning Board meeting that will be held on January 10th. I have asked the Planning Board to consider the consultation proposal at their meeting and if approved I will then be asking the Town Council to act on this resolution.

FPL's Sewer Line Agreement

Attached to this report is a formal agreement prepared by FPL to address the Town's sewer line issues once the dam is removed. I have not prepared a resolution for the signing of this agreement because I want to give us time to adequately review it. We can then discuss the agreement at our next meeting in February.

Ordinance No 15-2007

During the first reading and discussions of Ordinance 15-2007, which authorizes the School Department to Lease Purchase Energy Conservation Equipment, Councilman Russell asked for an

example of a similar completed project so that the actual savings could be reviewed. In response to his request, the School Department has provided an energy audit report that involves the Winslow Elementary School. I have attached the document to my report for your review and consideration.

Budget Preparation Schedule

As you are probably aware, the Legislature is reconsidering the School Budget Validation requirement in the new school consolidation law. It is likely they may postpone that requirement until 2009. If this occurs I will make the necessary adjustment to our budget preparation schedule.

Labor Contract Negotiations

Current labor contracts with Police, Fire and Public Works employees will expire at the end of June 2008. I will need to meet with members of the Salary Review Committee (*Councilors Byrne, Manson and Michaud*) to discuss salary increase limits before negotiations begin.

Friends of Fort Halifax

At the last Council meeting the Friends of Fort Halifax discussed their desire to make some improvements to Fort Halifax Park. During their presentation they pointed out the benefits of moving the railroad crossing in the park a short distance.

A meeting has been scheduled for Wednesday January 30, 2008 at 12:30 pm with the railroad company and other interested parties to discuss the prospects of moving the crossing. The meeting will be held here at the Town Office.

Director of Parks & Rec Department

I will be meeting with the Parks & Rec Committee on January 9, 2008 at 7:00 pm to discuss filling the vacancy created by Lee Breton's retirement. I will be reporting the result of the meeting to the Town Council on January 14th.

Mr. Heavener told the council that he would like to proceed with hiring a replacement for Lee Breton, Parks and Recreation Director. He asked if any of the council would like to be involved in the process. Councilman Grant volunteered.

b. Assessor's Supplemental Bills:

2007/2008	Rodney Rowe PO Box 97 Albion ME 04910 Map 2 Lot 32 Tree Growth Penalty, Failure to File.	\$2,760.00
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2007/2008	Robert Knowles & Elizabeth Burnham 7 Baker St Lot 4 Winslow ME 04901 Map 23 Lot 36A Mobile Home placed without permit.	\$ 67.50
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Motion by Mr. Grant and seconded by Mr. Byrne to approve the Assessor's Supplemental Tax Bills totaling \$2,827.50. Motion carried. Unanimous

c. Department Reports

Reports were received from the Police Department, Library, Fire Department, Public Works, Assessor and Code Enforcement.

- e. Treasurer's warrants approved and signed by the Finance Committee during the Month of December.

No. 11.....	\$	355,850.61
No. 12		<u>1,421,882.84</u>
Total	\$	1,777,733.45

f. Financial Reports

Motion by Mr. Byrne and seconded by Mr. Grant to approve all reports.

Motion carried. Unanimous.

UNFINISHED BUSINESS:

1. Ordinance No. 15-2007: Providing for Ordinance to be adopted by the Town Council concerning a Lease Purchase Agreement for Energy Conservation Equipment and Upgrades. (Second Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Grant and seconded by Mr. Byrne to accept the Second Reading of Ordinance No. 15-2007.

James Byrne—Yes
Brad Grant—Yes

Catherine Nadeau—Yes
Gerald Saint Amand—Yes

Motion passed, 4-0.

NEW BUSINESS:

1. Order No. 1-2008: Providing for the Acceptance of Private Drive as a Town Street located in the approved Summer Court Condominium (Phase II) Subdivision approved March 7, 2002, by the Winslow Planning Board. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mr. Grant to accept the First Reading of Order No. 1-2008. A roll call vote was taken.

Catherine Nadeau—Yes
Brad Grant—Yes

James Byrne—Yes
Gerald Saint Amand—Yes

Motion Passed, 4 – 0.

2. Order No. 2-2008: Providing for the Town Manager to sign a lease between the Town as Landlord, and Orion Ropeworks, Inc., as Tenant. (First Reading)
Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mrs. Nadeau to accept the First Reading of Order No. 2-2008. A roll call vote was taken.

Brad Grant—Yes	James Byrne—Yes
Catherine Nadeau—Yes	Gerald Saint Amand—Yes

Motion passed, 4 - 0.

3. Resolution No. 1-2008: Providing for authorization to enter into a Mutual Release and Settlement Agreement with the City of Waterville. (One Reading)
Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mr. Grant to adopt Resolution No. 1-2008.
Motion carried. Unanimous.

4. Resolution No. 2-2008: Providing for authorization for the Town Manager to accept a Proposal for Consultation of the effects of Reservoir Drawdown on Bank Slope Stability due to Fort Halifax Dam Removal.
(One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mr. Grant to adopt Resolution No. 2-2008.
Motion carried. Unanimous.

5. Resolution No. 3-2008: Providing for application for a Class I Liquor License (Renewal) by Jeannine Hendsbee d/b/a Lobster Trap and Steakhouse, 21 Bay Street. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mr. Grant to adopt Resolution No. 3-2008.
Motion carried. Unanimous.

ADJOURNMENT:

Motion by Mrs. Nadeau and seconded by Mr. Grant to adjourn the meeting.
Motion Carried. Unanimous.

The meeting adjourned at 8:44 p.m.

ATTEST: _____
Town Clerk of Winslow, Maine