

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
& PUBLIC HEARING
Minutes of Meeting
April 13, 2009

PUBLIC HEARING

1. Order No. 5-2009: Providing for Approval of the Town of Winslow 2009-2010 Fiscal Budget Series in the amount of \$22,082,172.00 and to establish a Due Date and Interest Rate on Taxes remaining unpaid.

Don Eskelund asked for a comparison of tax revenues in 2008 and 2009. With no further comments Chairman Russell closed the Public Hearing and opened the Regular Council Meeting at 7:35.

REGULAR MEETING

1. Roll call attendance was taken with seven (7) members present:

James Byrne, Brad Grant, Paul Manson, Roland Michaud, Catherine Nadeau, Steven Russell and Gerald Saint Amand.

Michael Heavener, Town Manager was present along with William Lee, Town Attorney and several Department Heads.

2. Approval of Minutes of Previous Meetings:

Motion by Mr. Saint Amand and seconded by Mr. Grant that the minutes of the meeting held on March 9 be approved. Motion Carried. Unanimous.

3. Communications

- a. Legislative Update

No comment

- b. Other

1. Copy of Minutes from Kennebec Water District meetings held February 19, March 5 & March 19.
2. Copy of Minutes from Winslow School Committee meeting held March 2.
3. Copy of Winslow School Committee Agenda for April 6.
4. Copy of Minutes from Kennebec Sanitary Treatment District February 17 meeting.

5. Copy of Minutes from Planning Board meetings held February 18 & March 4 & April 1.
6. Copy of KVCOG Executive Director's Report dated March 27, 2009.
7. Memo from the Town Clerk regarding the OAS Budget items to be signed by the Council.

4. Reports of Committees and Commissions

a. Assessor's Tax Abatements

| | | |
|-----------|---|----------|
| 2008/2009 | Leonil & Sheila Giroux 24 Hapworth Lane Winslow ME 04901 Acreage historically incorrect Map 10 Lot 4 | \$ 79.05 |
| 2008/2009 | Laura Higgins 929 Albion Road Winslow ME 04901 Farmland Classification Correction Map 11 Lot 36 | \$427.80 |
| 2008/2009 | Bruce Hutchinson PO box 2776 Waterville ME 04903 Interior inspection done Map 17 Lot 56 | \$647.90 |
| 2008/2009 | Stephen & Pamela Perro 346 South Reynolds Road Winslow ME 04901 Finished attic 1/2 only; barn poor condition Map 2 Lot 39 | \$212.35 |
| 2008/2009 | Troy & Brigitte Bouchard 442 Wyman Road Winslow ME 04901 7 acres wetland Map 2 Lot 60 | \$124.00 |
| 2008/2009 | Winslow Police Association 114 Benton Avenue Winslow ME 04901 10 acres wetland Map 9 Lot 30E | \$229.40 |

Motion by Mr. Saint Amand and seconded by Mr. Byrne to approve the Tax Abatements totaling \$1,720.50
Motion carried. Unanimous.

b. Town Manager Report

ALCOM TIF Proposal

On Tuesday March 31st the TIF Advisory Committee (*Gerald Saint Amand, Don Plourde, John Butera, Kelly Karter and Michael Heavener*) met to discuss ALCOM's request for a TIF related to their proposed project at the Town's Industrial Park.

ALCOM is proposing to build a new 70,000 square foot production plant on a 12.5 acre parcel of land in the Town's Industrial Park at a total project cost of just over three million (3,000,000). ALCOM has requested a 20 year TIF (*Credit Enhancement Agreement*) to help offset the ongoing cost of the project.

The TIF Advisory Committee is recommending that the ALCOM project be TIFed at 100% for 15 years as follows:

| <u>ALCOM</u> | <u>TOWN</u> | <u>YRS</u> |
|--------------|-------------|------------|
| 75% | 25% | 5 |
| 60% | 40% | 5 |
| 35% | 65% | 5 |

If the Council supports this arrangement then we will contract with Pierce Atwood (*at ALCOM's expense*) to prepare the TIF application for submission to the State. Before being submitted to the State, however, the application will need to be formally approved by the Town Council.

Union 52 Central Office Dissolution Agreement

In your council packet is Resolution No. 14-2009, which involves a Dissolution Agreement for the Union 52 Central Office Building.

Dwyer Associates conducted an appraisal to determine the replacement cost less depreciation of the building, as well as, fixtures and equipment (*see attached cover letter*). They concluded the structural costs less depreciation to be **\$210,000** and the fixtures and equipment to be **\$4,800** for a total of **\$214,800**.

Using our current Union 52 allocation formula, Winslow (56%) will be paying China and Vassalboro for their share of the total costs as follows:

| | | |
|------------|-------------|---------|
| China | \$48,544.80 | (22.6%) |
| Vassalboro | \$45,967.20 | (21.4%) |

At their meeting on April 6th, the School Committee unanimously voted to approve of the Dissolution Agreement.

If you accept Resolution No. 14-2009, then someone from the School Department will be at the Council meeting on the 13th with the Dissolution Agreement to be signed.

Meeting Regarding the Dallaire Street Slope

I have scheduled a public meeting between the Winslow Town Council, the Dallaire Street Residents, the Maine Emergency Management Agency and the Federal Emergency Management Agency. The meeting will be next Tuesday (04/14/2009) at 7:00 PM and will be held here at the Town Office. The meeting is expected to last 2.5 hours.

The purpose of the meeting is to discuss the stability of the Dallaire Street slope and the options available to address the issue. Before we can apply for grant funding the Town Council and the Dallaire Street residents must agree on a solution. The grant application deadline is May 29th.

I do not expect a final decision to be made at this meeting, however, a final decision will likely be needed at the May 11th Town Council meeting.

Sustainability Committee

On Friday March 6th, the Town's Sustainability Committee (*Frank Stankevitz, Elery Keene, Ken Fletcher, Jim Veilleux, Shelley Phillips, Sally Harwood and Michael Heavener*) met for the first time.

The committee decided to focus their efforts on improving energy efficiency in the Town's municipal government, including the schools. The Committee chose the Town Library as their first project. I met with the Library Trustees and they agreed to work with the Sustainability Committee to improve the Library's energy efficiency.

I have contacted Efficiency Maine to conduct an energy audit on the library and I am waiting to hear back from them.

Bizier Property Boundary Issue

Shannon Bizier and her husband, Jeremiah Bizier, are requesting that the town assist them with a property boundary issue they have with the town.

Attached to this report is a site location plan prepared by Carey Land Surveys for the Bizier's who are trying to sell their property on the Albion Road that abuts the Town Forest land.

During the preparation of the site location plan it was discovered that a portion of the Bizier's structure crosses over their property line and onto Town property.

At this point there appears to be only two options to resolve the matter. The Town can either force the Biziers to remove their structure from town property or we can sell them the sliver of land their structure is on. We will be discussing this in more detail at the Council meeting on April 13th.

Vigue Retaining Wall Issue

Brad Vigue owns a home at the intersection of Victor Terrace and Monica Avenue. He has discovered that his retaining wall facing Victor Terrace (*see attached photos*) is actually on town property (*the right of way*). Since Mr. Vigue is trying to sell his home he is asking the town to give him an easement for the retaining wall, a picket fence and a child's playhouse. The retaining wall was built around 1995 by a previous owner and there is no official record of the town giving its authorization. We will be discussing this matter in more detail at the Council meeting.

Rodney Cloutier Land Purchase Proposal

Approximately 6 years ago Richard Cloutier gave a large parcel of land to the town in the vicinity of Anthony Avenue and Whipple Street. Approximately two years ago the town added some fill to a section of the land so that it could be used for snow sledding.

Rodney Cloutier, the son of Richard Cloutier, would like to purchase a piece of this land that abuts Anthony Avenue (*see attached tax map*) so that he can build a two family apartment building. He is offering the town \$6,000 for the land. The Assessor has valued the land at \$22,000 and the Parks & Rec Committee is in favor of selling the land.

We will discuss this offer in more detail at the Council meeting.

c. Department Reports

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

- d. Treasurer’s warrant approved and signed by the Finance Committee during the Month of March.

| | |
|-------------|----------------------|
| No. 18..... | \$ 1,970,120.64 |
| No. 19..... | \$ <u>408,949.22</u> |
| Total | \$ 2,379,069.86 |

- e. Financial Report

Motion by Mr. Saint Amand and seconded by Mr. Byrne to approve all reports.
Motion Carried. Unanimous.

UNFINISHED BUSINESS:

- 1. Order No. 3-2009: Providing for the Sale of a Lot in the Winslow Industrial Park on the Augusta Road. (Second Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Order No. 3-2009. A roll call vote was taken.

| | |
|------------------------|----------------------|
| Brad Grant—Yes | Catherine Nadeau—Yes |
| Gerald Saint Amand—Yes | Roland Michaud—Yes |
| James Byrne—Yes | Paul Manson—Yes |
| Steven Russell—Yes | |

Motion passed, 7 – 0.

NEW BUSINESS:

- 1. Ordinance No. 1-2009: Providing for the Amendment of Ordinance No. 4-2002, “The Administration of General Assistance.” (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading of Ordinance No. 1-2009. A roll call vote was taken.

| | |
|--------------------|------------------------|
| Paul Manson—Yes | Brad Grant—Yes |
| James Byrne—Yes | Gerald Saint Amand—Yes |
| Roland Michaud—Yes | Catherine Nadeau—Yes |
| Steven Russell—Yes | |

Motion passed, 7 – 0.

- 2. Ordinance No. 2-2009: Providing for an Amendment to the Winslow Zoning Ordinance Sec. 14, Article 7 Shoreland Areas, by adding the underlined

(underlined) and deleting the strikethrough language in the attached provision of the Zoning Ordinance. (First Reading)
Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Michaud to accept the First Reading of Ordinance No. 2-2009. A roll call vote was taken.

Gerald Saint Amand—Yes Paul Manson—Yes
Catherine Nadeau—Yes James Byrne—Yes
Brad Grant—Yes Roland Michaud—Yes
Steven Russell—Yes

Motion passed, 7 – 0.

3. Ordinance No. 3-2009: Providing for an Amendment to Winslow Zoning Ordinance Chapter 12, by adding Article 6.14-65A: Personal Wireless Services Facilities (PWSF) to the Zoning Ordinance. (First Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Michaud to accept the First Reading of Ordinance No. 3-2009. After a brief discussion with Frank Stankevitz a roll call vote was taken.

Roland Michaud—Yes Catherine Nadeau—Yes
Brad Grant—Yes James Byrne—Yes
Paul Manson—Yes Gerald Saint Amand—Yes
Steven Russell—Yes

Motion passed, 7 – 0.

4. Order No. 4-2009: Providing for an increase in the Sewer Flow Rate Charge for the Public Sewer Users and the Establishment of a Surcharge for Prohibited Discharge into the Public Sewer System. (First Reading) Sponsored by Steven Russell

Motion by Mr. Michaud and seconded by Mr. Manson to accept the First Reading of Order No. 4-2009. After a brief discussion with John Giroux, Public Works Director a roll call vote was taken.

James Byrne—Yes Gerald Saint Amand—Yes
Catherine Nadeau—Yes Paul Manson—Yes
Roland Michaud—Yes Brad Grant—Yes
Steven Russell—Yes

Motion passed, 7 – 0.

5. Order No. 5-2009: Providing for Approval of the Town of Winslow 2009-2010 Fiscal Budget Series in the amount of \$22,082,172.00 and to establish a Due

Date and Interest Rate on Taxes remaining unpaid. (First Reading)
Sponsored by Steven Russell.

Motion by Mr. Saint Amand and Seconded by Mr. Grant to Read by title only.
Motion carried. Unanimous

Motion by Mr. Saint Amand and seconded by Mr. Byrne to accept the First Reading
of Order No. 5-2009. A roll call vote was taken.

| | |
|----------------------|------------------------|
| Catherine Nadeau—Yes | Roland Michaud—Yes |
| Brad Grant—Yes | James Byrne—Yes |
| Paul Manson—Yes | Gerald Saint Amand—Yes |
| Steven Russell—Yes | |

Motion passed, 7 – 0.

6. Resolution No. 12-2009: Providing for authorization for the Town Manager to submit a Grant application for Federal Grant Funds, totaling \$59,450, in a collaborative effort between the Town of Winslow, Pattee Pond Association and the Kennebec County Soil & Water District to address issues impacting the Pattee Pond Watershed. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Grant to adopt Resolution No. 12-2009. Chairman Russell abstained from voting. Motion carried, 6-0.

7. Resolution No. 13-2009: Providing for authorization for the Town Manager to enter into a Software Maintenance Agreement with Vision Appraisal Technologies, Inc. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adopt Resolution No. 13-2009 with two changes to the contract; a provision stating that there will be a proration refund if we cancel during a contract year and the prevailing party in a breach action will be entitled to an award of reasonable attorney fees. Motion carried. Unanimous.

8. Resolution No. 14-2009: Providing for approval of a Dissolution Agreement between the Town of China, the China School Department, the Town of Vassalboro, the Vassalboro School Department, and the Town of Winslow and the Winslow School Department. (One Reading) Sponsored by Steven Russell.

Motion by Mr. Saint Amand and seconded by Mr. Manson to adopt Resolution No. 14-2009. Motion carried. Unanimous.

DISCUSSION:

The council unanimously supports the proposal from the TIF Advisory Committee and instructed Mr. Heavener move forward with the application. It was decided that the Bizier and Vigue issues be on the next agenda in appropriate form for council action.

EXECUTIVE SESSION:

Motion by Mr. Saint Amand and seconded by Mrs. Nadeau to enter into executive session pursuant to 1 M.R.S.A. 405(6)(A) for a personnel matter at 10:05 p.m.

Motion carried. Unanimous.

Motion by Mr. Saint Amand and seconded by Mr. Byrne to exit executive session at 10:15 p.m.

Motion carried. Unanimous.

ADJOURNMENT:

Motion by Mr. Saint Amand and seconded by Mr. Byrne to adjourn the meeting.

Motion carried. Unanimous.

The meeting adjourned at 10:16 p.m.

ATTEST: _____
Town Clerk of Winslow Maine