

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
Minutes of Meeting
October 14, 2008

REGULAR MEETING

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

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

Michael Heavener, Town Manager, Attorney Bill Lee were present along with John Giroux, Public Works and Frank Stankevitz, CEO.

2. Approval of Minutes of Previous Meetings:

Motion by Mr. Byrne and seconded by Mr. Grant that the minutes of the meetings held on September 8, 2008 be approved. Motion Carried. Unanimous.

3. Communications

- a. Legislative Update

No Comment

- b. Other

1. Copy of Minutes from Kennebec Water District August 21, September 4, and September 18 meetings.
2. Copy of Minutes from School Committee Meeting held September 2.
3. Copy of School Committee agenda for October 6.
4. Copy of Minutes from Kennebec Sanitary Treatment District August 19 meeting.
5. Copy of "A Sustainable Winslow" analysis report prepared by Colby College Students.
6. Nomination form for the Municipal Review Committee, Inc.

4. Appointments

A motion by Mr. Michaud and seconded by Mr. Russell to appoint Annette Gagne to serve as Warden for the November 4, 2008 Election. Motion Carried. Unanimous

5. Reports of Committees and Commissions

a. Town Manager Report

Combined Sewer Overflows Update

At the August Town Council meeting you asked the Public Works Director and myself to prepare some options the Council could consider to help address the CSO issue.

Attached to this report is a memo from Public Works Director John Giroux that outlines two (2) options. This memo is the result of Mr. Giroux and I meeting to discuss the issue and additional research conducted by Mr. Giroux. Mr. Giroux will be at your meeting on Oct. 14th to discuss the CSO issue in more detail.

Sustainability Report

Over this past summer a group of Colby College interns conducted a Greenhouse Gas Emissions Inventory for the Town. As a result of their work they have provided the Town with a report and copy of that report titled **A Sustainable Winslow** is in your packet.

The report contains a detailed analysis of our municipal buildings' energy usage, as well as, a carbon inventory for the Town. In addition, the report makes recommendations that could result in a sustainable Winslow.

I recommend that we form a Sustainability Committee for the purpose of processing this report and to help with the implementation of town-wide environmental policies focused on saving money and improving our environment. I would like to discuss this further at your meeting on Oct. 14th.

Industrial Building Roof Repairs

Both Orion Ropeworks and Johnny's Selected Seeds have complained about the roof leaking at the facility they lease from us on Benton Avenue.

To address part of this problem the Sheridan Corporation will be re-roofing Johnny's Selected Seeds office building at a cost of \$56,784.00. This portion of the building needs to be re-roofed before winter so I have already made arrangements to have this done. Since this is considered a Capital expense the lease requires the town to cover the costs. However, the lease also allows the town to increase Johnny's rent payments over the life of the project to cover the town's costs. Therefore, Johnny's will be expected to pay an additional \$2,839.20 in rent annually over the next 20 years.

The remaining portions of the roof that need to be repaired before winter are not capital projects and will therefore not be a town expense.

I am expecting a detailed assessment of the building's roof and will share that with the Town Council once it is available.

Winslow Town Forest Inspection

On Friday, September 12th, I walked a portion of the Town's Forest with Forester Vite Vitale and two representatives from Sappi. Forester Vitale was inspecting our forest because it is a certified Tree Farm and needs to be inspected every five years. Our Town Forest consists of 400+ acres located on the Albion Road.

Following his inspection, Forester Vitale said the forest could be harvested again in another five years.

Dallaire Street Slope

Attached to this report is a letter I have written to Senator Susan Collins asking for some assistance with addressing our concerns for the residents perched at the top of the Dallaire Street slope. I have since had some phone conversations with Bill Card from the Senator's office.

At this point I need some direction from the Town Council. The Senator's Office is willing to help us

look for funding but would like to know whether the town would prefer to buy the homes that are in jeopardy or relocate them to the park across the street.

The **estimated cost to buy the homes is \$609,000** and the **estimated cost to move the homes is \$300,000**. I need to know which option, if any, the Town Council would like to pursue Federal funding.

Carry-In Boat Access Issue

When the Planning Board approved FPLE's Dam Removal Permit it included relocating the existing carry-in boat access. Since the water level has been lowered the proposed new location has been deemed unsuitable and unsafe by the Code Enforcement Officer (CEO). CEO Frank Stankevitz will be at your meeting on the 14th to explain his concerns and what other options may exist.

Preserving The Town's Historical Documents and Artifacts

As you probably know, the Town has not had a functioning Historical Society since the flood of 87. Our existing historical documents and artifacts are scattered and unorganized.

On Thursday October 2nd, I met with Peggy Kaminsky from the Maine State Archives. Also present were Library Director Judy Larson, Elery Keene, Jack Nivison and Jane Edwards.

We discussed the need to catalog and preserve those items related to the town's history. Ms. Kaminsky explained that there was grant funding available to hire a consultant who could help us with this task. The deadline for this grant is Dec. 1st. She said additional grant funding could be available later to help us develop a suitable location to then house our items of historical significant.

I will be asking you to support me in forming a Historical Committee at your meeting on the 14th. The Historical Committee could then assist us with the tasks related to preserving those items associated with the town's history.

Landlord's Consent Agreement

In your packet is Resolution No 17-2008, which will allow me to sign a Landlord's Consent Agreement for Orion Ropeworks, Inc (ORI). The agreement would allow Camden National Bank to assume ORI's interest in the lease if ORI defaults on their loan.

This agreement is similar to one previously accepted by the town in 2005 with ORI and Camden National Bank.

Annual Town Council Workshop

Councilor Michaud and I have been working on an agenda for an annual Town Councilor Workshop that would be held sometime in January. The workshop could serve to orientate newly elected councilors or could serve as a refresher for reelected or current councilors.

If you have a suggested agenda item please let me know. I plan to have a draft agenda by the November Council meeting.

Absentee Voting

In your packet is Resolution 19-2008 and if adopted would allow the Town Clerk to stop offering on-premise absentee voting the day before an election. The Clerk could then focus on preparing for Election Day. Anyone wanting to vote by absentee ballot the day before an election would have to complete the ballot outside the Town Office before returning it.

AOS Update

Attached to this report are the minutes of the September 23rd Regional Planning Committee (RPC)

meeting attended by Councilor Grant and I. We are scheduled to attend another RPC meeting on October 9th starting at 5:30 pm. The meeting is being held in the library of the Vassalboro Community School.

Property Tax Billing

Property tax bills were mailed out on Thursday October 2nd. The bills went out much later than expected because of the re-valuation and last minute adjustments. The Budget Order stipulated that interest will be charged on payments received after October 10th, however, because of billing delays interest will only be charged on payments received after October 15th.

On a more positive note the tax rate has been reduced to \$15.50.

Municipal Review Committee Board Nomination

Elery Keene's term on the Municipal Review Committee's Board of Directors will expire this December. Mr. Keene has expressed a willingness to continue on the Board of Directors if he is nominated by the Town Council.

In your packet is a nomination form for the Board of Directors' position. The deadline for nominations is October 24th, so I will need to know if you would like to make a nomination at your meeting on the 14th.

Freedom of Access Training Reminder

Before November 1, 2008 you must thoroughly review the FAQ sheet and complete the certification document (*included in last month's packet*) or you must attend an approved training course and complete the certification document.

Executive Session

In your packet is an envelope marked CONFIDENTIAL. I would like to discuss the contents of the envelope in executive session. Therefore, I will need someone to make a motion to go into executive session to discuss matters related to the disposition of publicly held property pursuant to 1 MRSA, Section 405, Subsection 6(C).

John Giroux will bring a sample ordinance to the next meeting regarding the CSO.

Mr. Heavener asked for a volunteer to be part of a committee to review town procedures to be "A sustainable Winslow". Mrs. Nadeau agreed to be a part of the committee.

A long discussion of the removal of the Fort Halifax Dam ensued. The council directed Mr. Heavener to ask Senator Collins for help to pay for continued monitoring of the Dallaire Street Slope and to speak to FPL about fulfilling their agreement with the re-seeding of the Seabasticook Shoreline.

The council gave their approval to Mr. Heavener to form a committee for preservation of Historic Documents and Artifacts in Winslow.

A motion by Mr. Michaud and seconded by Mr. Russell that interest on tax bills begin 30 days after the bill has be mailed. Motion granted. 7 – 0

After a lengthy discussion a motion by Mr. Grant and seconded by Mr. Bryne to rescind Mr. Michaud's motion that interest on tax bills begin 30 days after mailing. Motion granted. 6 – 1

A motion by Mr. Michaud and seconded by Mr. Russell to nominate Elery Keene to the Municipal Review Committee Board of Directors

b. Department Reports

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

c. Treasurer’s warrants approved and signed by the Finance Committee during the Month of September.

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| No. 5..... | \$ 2,209,599.52 |
| No. 6..... | \$ <u>543,112.73</u> |
| Total | \$ 2,752,712.25 |

d. Financial Report

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

UNFINISHED BUSINESS:

1. Order No. 9-2008: Providing for the acceptance of Heritage Drive located in the approved Heritage Farm Subdivision and recorded at the Kennebec County registry of Deeds. (Second Reading)
Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mr. Grant to approve the second reading of Order No. 9-2008. A roll call vote was taken.

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

Motion passed, 7-0.

NEW BUSINESS:

1. Ordinance No. 3-2008: Providing for An amendment to the Winslow Zoning Ordinance Sec. 14-46, Rural District, by adding the underlined and deleting the strikethrough language in the attached provision Ordinance. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Grant and seconded by Mr. Byrne to accept the first reading of Ordinance No. 3-2008. A roll call vote was taken.

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

Motion passed, 7-0.

2. Ordinance No. 4-2008: Providing for An amendment to Winslow Zoning Ordinance Sec. 14-83, Definitions, by adding the underlined language in the attached provision of the Zoning Ordinance. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Byrne to accept the first reading of Ordinance No. 4-2008. A roll call vote was taken.

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

Motion passed, 7-0.

3. Ordinance No. 5-2008: Providing for the Amendment of Ordinance No. 4-2002, “The Administration of General Assistance. (First Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Grant and seconded by Mr. Russell to accept the first reading of Ordinance No. 5-2008. A roll call vote was taken.

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

Motion passed, 7-0.

4. Resolution No. 16-2008: Providing for Pole Location Permit – Central Maine Power Company and Fairpoint New England – Project 1-232136. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Byrne to accept Resolution No. 16-2008. Motion carried. Unanimous.

5. Resolution No. 17-2008: Providing for authorization for the Town Manager to enter into a Landlords Consent to Leasehold Mortgage & Assignment of lease as Collateral Agreement with Camden National Bank (Camden) and Orion Ropeworks, Inc. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Byrne and seconded by Mr. Grant to accept Resolution No. 17-2008. Motion carried. Unanimous.

6. Resolution No. 18-2008: Providing for the Acceptance of Forfeiture Assets Obtained by the Kennebec County District Attorney's Office. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Byrne to accept Resolution No. 18-2008. Motion carried. 6-0 One abstain.

7. Resolution No. 19-2008 Providing for Elimination In-Person Absentee Voting on the day before any Election. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Michaud and seconded by Mr. Russell to accept Resolution No. 19-2008. Motion carried. 6-1.

EXECUTIVE SESSION:

Motion by Mr. Michaud and seconded by Mr. Manson to enter into Executive pursuant to 1 MRSA, Section 405, Subsection 6(c) at 8:45. p.m. Motion carried. Unanimous.

The council exited Executive Session at 10:00.

ADJOURNMENT:

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

The meeting adjourned at 10:01 p.m.

ATTEST: _____