

TOWN OF WINSLOW, MAINE
REGULAR COUNCIL MEETING
Minutes of Meeting
February 11, 2013

REGULAR MEETING

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

Ray Caron, Ken Fletcher, Catherine Nadeau, Jerry Quirion, Steve Russell, Gerald Saint Amand and Benjamin Twitchell.

Michael Heavener, Town Manager was present along with Paul Fongemie, Public Works Director and several residents..

2. Recite the Pledge of Allegiance.
3. Approval of Minutes of Previous Meetings

Motion by Mr. Caron and seconded by Mr. Quirion that the minutes of the meeting held on January 14 be approved. Motion carried. Unanimous.

4. Appointments

- Mr. Twitchell volunteered to be on the Finance Committee.

5. Communications

- a. Legislative Update
- b. Other

1. Copy of Minutes from Kennebec Water District meetings held January 3.
2. Copy of Winslow School Board Agenda for the January 28 meeting.
3. Copy of Minutes from the Winslow Safety Committee meeting held December 12.
4. Copy of Minutes from Kennebec Sanitary Treatment District meeting held December 20.

6. Reports of Committees and Commissions

- a. Town Manager's Report

MAINE FARMLAND TRUST

Over the past several months I have had discussions with a variety of people about the existence of food insecurity in our area. It has become apparent to me that local farms can be helpful in minimizing local food insecurity.

In 1995 there were 1,100 acres of farmland in the Farm and Open Space Current Use Tax Program in Winslow. By 2007 we lost over 400 acres of farmland, equating to a loss of approximately

38%. Today, we have rebounded to 2,937 acres of farmland in the tax program.

Our Comprehensive Plan recommends that the town work actively with the Maine Farmland Trust towards the preservation of farms in Winslow. Myself and others have met with Stacy Benjamin of the Maine Farmland Trust and Stacy is agreeable to working with us to identify issues and opportunities for supporting farming in Winslow.

In the Council Packet is Resolution No. 6-2013, which if approved will authorize me to sign a Letter of Agreement with the Maine Farmland Trust who will provide the town with the following scope of work at no cost to the town:

1. Meet with core group of farmers and municipal officials to develop work plan and process.
2. Meet with local farmers to identify issues and opportunities.
3. Review Winslow's land use ordinances for farming and farmland considerations.
4. Inventory important farmland soils and active farms and identify conservation opportunities.
5. Develop an implementation plan for strategies to support farming and conserve important farmland.
6. Develop any proposed amendments to local ordinances.
7. Work with partners as needed to implement strategies.

If the resolution is approved I will be asking the Town Council to form a working group for this project. Town Councilor Steve Russell, who is also a local farmer and the sponsor of Resolution No. 6-2013, has expressed an interest in being a member of the working group. I will also request that Winslow residents Sally Harwood, Jim Veilleux and Kate Newkirk be appointed to the working group as well.

In the Council Packet is Section IV from the Maine Farmland Trust publication *Cultivating Maine's Agricultural Future – A Guide for Towns, Land Trusts and Farm Supporters*, which discusses Tools and Strategies for Supporting Local Agriculture.

327 CHINA ROAD SEWER INTEREST FEE

In 1981 the town extended the sewer line on the China Road in the vicinity of Lohmann Animal Health. The Town Council at the time passed Order No. 16-1981 (see attached) which required the Town Treasurer to collect a sewer connection fee from each abutting property owner whether the property was occupied or not. If the connection fee was not paid then the connection fee was to increase annually by 7%. Emile and Theresa LaPointe owned 327 China Road and decided at the time to not pay the connection fee.

Fast forward to today (31 years later) and 327 China Road is occupied by B&F Veggie and the property is still owned by Theresa LaPointe. Emile LaPointe has since passed away.

Teddi Blakney is considering buying the B&F Veggie business from her father, Frank Kent. She would like to expand the business and keep it open year round. To do so would require connecting the property to the China Road sewer system.

The sewer connection fee is calculated as follows:

Connection Fee =	400.00
280' x \$14.50 =	<u>4,060.00</u>
Total without interest =	4,460.00
7% interest for 31 yrs =	31,867.20
Total with interest =	36,327.20

Genie Ahearn, the niece of Theresa LaPointe, contacted me and indicated she was acting on her Aunt's behalf. Ms. Ahearn requested to be on the February Council agenda to make a request that the interest fee be waived by the Town Council. She said if she cannot make the meeting someone would be at the meeting to make the request.

In order to adjust the interest owed the Town Council would need to amend the original Order No. 16-1981. I should point out that an interest fee has historically been imposed on sewer projects to encourage the abutters to pay the connection fee, which helps to financially support the project. The LaPointe's were the only abutters in 1981 that did not pay the connection fee.

In light of the issues associated with 327 China Road, Teddi Blakney is now considering relocating B&F Veggie to a more suitable parcel of land on the China Road owned by Theresa LaPointe. I have placed this item on the Council Agenda as a discussion item.

COURT STREET LAND OPTION

At the August 13, 2012 Council meeting the Town Council voted to sell 9.59 acres of land off of Court Street (Map 43, Lot 29), which was part of the A&B Associates subdivision plan approved in 1989. The parcel, along with other town owned parcels, were advertised for sale in the local newspaper. The deadline to bid on the properties was Friday, August 31, 2012. At the same time the abutters of the Court Street property were asked to submit an offer for a portion of the land if they were not interested in acquiring the entire property. In the end there were no bids submitted for the entire property, however, a number of abutters to the property did express an interest in acquiring a portion of the property.

At the Town Council's direction a number of abutters have been working on a proposal for the town to sell portions of the property to the abutters. In the Council packet are some documents related to the proposal. Town Councilor Ray Caron will explain the proposal and the documents at Monday's Council meeting.

Attached to my report is the approved A&B Associates subdivision plan. As you will see condition #10 requires any further subdivision of the land shall be approved by the Planning Board. If the Council is agreeable to the abutters' proposal then I will present the proposal to the Planning Board for approval.

There has been some discussion in the past about the subdivision lot owners being required to maintain a drainage ditch on the northeast side of the subdivision. Since the developer did not form the landowner association as required the lot owners are not responsible for maintaining the ditch. The Public Works Director has estimated the cost to bring the ditch up to standards between 37,000 and 44,000.

Also attached to my report is page 5 from the subdivision's engineering report. As you will see in that report it was suggested that the undeveloped land could be conveyed to the adjoining land owner.

And finally, attached to my report is an offer from Rene Desrosiers to purchase the entire parcel. We can discuss all of the options at Monday's Council meeting.

POVERTY ABATEMENT HEARING

We will be going into executive session at the beginning of Monday night's Council meeting to conduct a hearing on Poverty Abatement Request 001-2013. In the Council packet is an envelope labeled Poverty Abatement 001-2013, which contains details of the abatement request.

MANAGER'S PERFORMANCE REVIEW

My performance evaluation is due at the March 11th Council meeting. In the Council packet is an envelope labeled "Manager's Performance Review" which contains the evaluation form and associated information.

Actions taken by the Council during Manager's Report

Mr. Caron reviewed the offer from the Court Street abutters with the Council. After a lengthy discussion, the council asked Mr. Heavener to check with MMA for advice on how to monitor the subdivisions when forming an association is required. The Council thanked Mr. Caron for the good work he has done preparing this proposal. The Council voted 6 – 0 in favor of sending this proposal to the Planning Board for review. Mr. Caron abstained from the vote.

b. Department Reports

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

c. Treasurer's warrant approved and signed by the Finance Committee during the Month of January.

No. 12.....	\$ 979,162.85
No. 13.....	\$ 400,278.26
No. 14.....	<u>\$ 293,318.31</u>
Total	\$ 1,672,759.42

d. Financial Report

Motion by Mr. Russell and seconded by Mr. Quirion to approve all reports.

Motion carried. Unanimous.

TABLED BUSINESS

1. Resolution No. 4-2013: Providing for Authorization for the Town Manager to Extend the Final Completion Date for Phase II of the Town's Remodeling Project with Peachey Builders. (One Reading) Sponsored by Gerald Saint Amand.

NEW BUSINESS

1. Resolution No. 5-2013: 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. Russell and seconded by Mr. Twitchell to adopt Resolution No. 5-2013.

Motion carried. Unanimous.

2. Resolution No. 6-2013: Providing for Authorization for the Town Manager to Sign a Letter of Agreement with the Maine Farmland Trust. (One Reading) Sponsored by Steve Russell.

Motion by Mr. Russell and seconded by Mr. Twitchell to adopt Resolution No. 6-2013.

Motion carried. Unanimous

3. Resolution No. 7-2013: Providing for Application for a Restaurant (Class I, II, III, IV) Liquor License (Renewal) by Luck Panda Inc d/b/a Lucky Panda, 1 Cushman Road, Unit 2. (One Reading) Sponsored by Gerald Saint Amand.

Motion by Mr. Russell and seconded by Mr. Quirion to adopt Resolution No. 7-2013.

Motion carried. Unanimous.

EXECUTIVE SESSION

Motion by Mr. Twitchell and seconded by Mr. Quirion to enter into Executive Session

At 7:52 p.m. Pursuant to 1 M.R.S.A. Section 405(6)(F); Discussion of confidential records.

Motion carried. Unanimous.

Motion by Mr. Quirion to exit Executive Session at 8:04 p.m.

4. Resolution No. 8-2013: Regarding Poverty Abatement Request No. 001-2013.

Motion by Mr. Russell and seconded by Mr. Quirion to adopt Resolution No. 8-2013.

Motion Denied. Unanimous.

ADJOURNMENT

Motion by Mr. Twitchell and seconded by Mr. Quirion to adjourn the meeting.

Motion carried. Unanimous.

The meeting adjourned at 8:17 p.m.

ATTEST: _____
Town Clerk of Winslow Maine